

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE NORTHERN DISTRICT OF IOWA

3                   UNITED STATES OF AMERICA,         )  
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APPEARANCES:

ATTORNEY ANTHONY RUSSELL MORFITT, U.S. Attorney's Office,  
111 Seventh Avenue S.E., Box 1, Cedar Rapids, Iowa 52401,  
appeared on behalf of the United States.

ATTORNEY CHRISTOPHER J. NATHAN, Federal Public Defender's  
Office, 222 Third Avenue S.E., Suite 290, Cedar Rapids,  
Iowa 52401, appeared on behalf of the Defendant.

14

15    SENTENCING HEARING,  
16    HELD BEFORE THE HON. C.J. WILLIAMS,  
17    on the 13th day of December, 2021, at 111 Seventh Avenue  
18    S.E., Cedar Rapids, Iowa, commencing at 9:25 a.m., and  
19    reported by Patrice A. Murray, Certified Shorthand  
20    Reporter, using machine shorthand.

21    Transcript Ordered: 12/27/21  
22    Transcript Completed: 1/19/22

23    Patrice A. Murray, CSR, RMR, FCRR  
24    Court Reporter  
25    PO Box 10541  
  Cedar Rapids, Iowa 52410  
  PAMurrayReporting@gmail.com

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**EXHIBITS**

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\* \* \* \* \*

1                   (The following proceedings were held in open court.)

2 THE COURT: The matter now before the Court is  
3 United States of America versus Amy Jurisic, criminal  
4 case 20-CR-1042. This matter comes on for a sentencing  
5 hearing. The United States is represented by Assistant  
6 United States Attorney Tony Morfitt. The defendant is  
7 personally present and represented by Assistant Federal  
8 Public Defender Chris Nathan. Participating by telephone  
9 is Jill Freese. She is the United States Probation  
10 Officer who authored the presentence investigation report  
11 filed at document number 31 in the court's file.

12 On June 14, 2021, the defendant pled guilty to one  
13 count of a two-count indictment. She pled guilty to  
14 Count 1, a crime which charged her with theft of mail by  
15 a postal employee. This was in violation of Title 18  
16 United States Code Section 1709.

17 By statute that crime is punishable by up to 5 years  
18 in prison without the possibility of parole. After the  
19 defendant has served her prison sentence, the Court can  
20 place her on a term of supervised release for up to  
21 3 years. Probation is an option; and were the Court to  
22 impose probation, it would be for a term of 1 to 5 years.  
23 The court can impose a fine of up to \$250,000. And the  
24 Court must impose a special assessment of \$100.

25 Mr. Morfitt, on behalf of the United States, have

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1 you had a full and fair opportunity to review this  
2 presentence report?

3 MR. MORFITT: Yes, Your Honor.

4 THE COURT: Does the government have any  
5 objections to the calculation of the advisory guidelines  
6 or anything else in this report?

7 MR. MORFITT: No, Your Honor.

8 THE COURT: This is a victim case. Is there  
9 any victims who wish to address the Court in the course  
10 of this hearing?

11 MR. MORFITT: Not to my knowledge, Your Honor.

12 THE COURT: And I understand you have some  
13 witnesses to testify as well?

14 MR. MORFITT: Yes, Your Honor. One, perhaps  
15 two.

16 THE COURT: All right. We don't have any  
17 marshals in the courtroom right now, but what is the  
18 government's position about at the end of the hearing, if  
19 I order a term of imprisonment, whether the defendant  
20 should be granted the privilege of self-surrender?

21 MR. MORFITT: The government would not have any  
22 objection to self-surrender, Your Honor.

23 THE COURT: All right. Thank you.

24 Mr. Nathan, on behalf of your client, have you and  
25 your -- Ms. Jurisic had a full and fair opportunity to

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1 review this presentence report?

2 MR. NATHAN: Yes, Your Honor.

3 THE COURT: And I noted a number of objections.  
4 I saw objections at 6, 7, 9, 10, 12, 17, and 18, at those  
5 paragraphs of the offense conduct section of the  
6 presentence report; an objection at paragraph 19 having  
7 to do with victim impact and I guess identification of  
8 the victims; paragraph 22 on the loss amount; paragraphs  
9 34 and 35 having to do with criminal history narrative;  
10 paragraph 39 having to do with a pending charge  
11 narrative; at paragraph 46, having to do with the DHS  
12 finding; and then at paragraph 81, having to do with the  
13 amount of restitution.

14 First of all, have I identified all the objections  
15 the defendant has to this presentence report?

16 MR. NATHAN: Yes, Your Honor.

17 THE COURT: Could you make a brief record --  
18 I'm sorry, just a second.

19 Gentlemen, I'm not going to need you at this  
20 hearing. Thank you.

21 DEPUTY MARSHAL: Thank you, Judge.

22 THE COURT: Mr. Nathan, could you make a brief  
23 record of how you went through this report with your  
24 client?

25 MR. NATHAN: Yes, Your Honor. My office mailed

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1 a copy of the draft PSR to the defendant. She's  
2 currently being supervised out of Georgia, so I then  
3 arranged for a phone conference, during which we went  
4 through the draft PSR paragraph by paragraph. And our  
5 objections are as Your Honor stated.

6 THE COURT: Thank you, Mr. Nathan.

7 Ms. Jurisic, first of all, am I pronouncing your  
8 name correctly?

9 THE DEFENDANT: Yes, Your Honor.

10 THE COURT: All right. Were you able to go  
11 through this report on your own?

12 THE DEFENDANT: Yes, Your Honor.

13 THE COURT: Do you feel like you've had  
14 sufficient time to go through this report with  
15 Mr. Nathan?

16 THE DEFENDANT: Yes, Your Honor.

17 THE COURT: Whenever you spoke with Mr. Nathan  
18 about this report, was he able to answer any questions  
19 you had about it?

20 THE DEFENDANT: Yes, Your Honor.

21 THE COURT: Do you have any questions today  
22 about this report?

23 THE DEFENDANT: No, Your Honor.

24 THE COURT: All right. Let's turn then to the  
25 calculation of the advisory guidelines as determined by

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1 the probation office. That calculation begins at page  
2 11. At paragraph 21 the probation office has assessed  
3 the defendant with a base offense level for this offense.  
4 This is under guideline section 2B1.1(a) (2).

5 At paragraph 22, the probation office has assessed  
6 the defendant with a 14-level enhancement for loss  
7 amount. This is under guideline section 2B1.1(b) (1) (H).  
8 The probation office has determined that the intended  
9 loss amount was \$825,781.45. This falls within the range  
10 of more than \$550,000 but less than \$1.5 million for the  
11 14-level enhancement.

12 At paragraph 24 the probation office has assessed  
13 the defendant with a 2-level enhancement for abuse of a  
14 position of public or private trust. This is under  
15 guideline section 3B1.3. That gives us an adjusted  
16 offense level of 22.

17 Defendant has pled guilty to this offense, and so  
18 the probation office has awarded her with a 2-level  
19 reduction for acceptance of responsibility under  
20 guideline section 3E1.1(a). Mr. Morfitt, what is the  
21 government's position about whether the defendant should  
22 receive an additional 1-level reduction for acceptance  
23 under guideline section 3E1.1(b)?

24 MR. MORFIT: The government would move for the  
25 additional level, Your Honor.

1                   THE COURT: The Court grants that motion. And  
2 so with 3 levels off for acceptance of responsibility,  
3 the defendant's total offense level would be 19.

4                   The defendant has some criminal history, which the  
5 probation office has summarized and scored beginning at  
6 paragraph 31 and carrying over to paragraph 37. The  
7 defendant's prior convictions have resulted in 2 criminal  
8 history points. That places the defendant in criminal  
9 history category II. So with a total offense level of  
10 19, criminal history category II, the advisory guideline  
11 range of imprisonment is 33 to 41 months.

12                  In preparation for today's hearing, I have reviewed  
13 in detail, of course, the presentence investigation  
14 report. I've also reviewed the pleadings by the parties.  
15 The defendant filed a sentencing memorandum at document  
16 number 35, and attached to that were Exhibits A through  
17 D. And then at document -- I'm sorry, at 38 it appears  
18 the defendant filed Exhibit E.

19                  Mr. Nathan, are you moving Exhibits A through E into  
20 evidence?

21                  MR. NATHAN: Yes, Your Honor.

22                  THE COURT: Any objection?

23                  MR. MORFITT: No, Your Honor.

24                  THE COURT: A through E will be received.

25                  (Whereupon, Exhibits A through E were received.)

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1                   THE COURT: And then the government filed a  
2 sentencing memorandum at document number 36 and attached  
3 Exhibits 1 through 3. And, Mr. Morfitt -- is it 1  
4 through 3 or is it 1 through 2?

5                   MR. MORFITT: Your Honor, 1 through 2 were  
6 filed at docket 36 and then 3 was filed separately.

7                   THE COURT: At docket 37, yep, thank you. Are  
8 you moving Exhibits 1 through 3 into evidence?

9                   MR. MORFITT: Yes, Your Honor.

10                  THE COURT: Any objection?

11                  MR. NATHAN: No, Your Honor.

12                  THE COURT: 1 through 3 will be received.

13                  (Whereupon, Exhibits 1 through 3 were received.)

14                  THE COURT: Mr. Nathan, do you intend to  
15 present any evidence here, any live evidence here today?

16                  MR. NATHAN: No, Your Honor, just the exhibits.

17                  THE COURT: All right. Very good.

18                  So, Mr. Morfitt, I will turn to you. It is the  
19 government's burden to establish loss amount and  
20 restitution by a preponderance of the evidence. And, so,  
21 Mr. Morfitt, you may call your first witness.

22                  MR. MORFITT: The United States calls Lori  
23 Wignall.

24                  THE COURT: Good morning. Please raise your  
25 right hand.

4 THE COURT: Thank you. Please have a seat in  
5 the witness chair. And pull your chair up to that  
6 microphone and adjust it so it's right in front of you.  
7 And when you are comfortable, please state your name and  
8 spell your name for the court reporter.

9                   THE WITNESS: Lori Wignall. First name  
10                 L-O-R-I; last name W-I-G-N-A-L-L.

11 THE COURT: Thank you.

12 Mr. Morfitt, you may proceed.

DIRECT EXAMINATION

14 BY MR. MORFITT:

15 Q. Ma'am, how are you currently employed?

16 A. I'm a special agent with the Postal Service, Office  
17 of Inspector General.

18 Q. And how long have you been in federal law  
19 enforcement?

20 A. For about 19-and-a-half years.

21 Q. And has that all been with the Office of Inspector  
22 General, or did you switch at some point?

23 A. I switched agencies. The Postal Service actually  
24 has two law enforcement branches. There's an external  
25 side, which they're called postal inspectors. I was a

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1 postal inspector for four years and then switched to the  
2 internal side, which is the Office of Inspector General.

3 Q. So you've been with OIG for approximately 15 years?

4 A. Yes.

5 Q. And have you been -- or let me ask you this, where  
6 are you currently based out of?

7 A. Des Moines.

8 Q. And have you been in Des Moines the entirety of that  
9 15 years?

10 A. Yes.

11 Q. What region of the Postal Service do you cover out  
12 of Des Moines, how much of Iowa?

13 A. I cover some of the processing facilities, so Des  
14 Moines has two processing facilities. And I pretty much  
15 cover all the western side of the state, except for a  
16 small portion of it, and then north of Highway 30.

17 Q. And does that particularly include the Post Office  
18 facilities that are located in Dubuque, Iowa?

19 A. Yes.

20 Q. And are you familiar as part of your duties with the  
21 Dubuque, Iowa, Post Office, its facilities, its  
22 operation, that sort of thing?

23 A. Yes.

24 Q. Can you just describe for the Court briefly what the  
25 Dubuque Post Office setup is, if you will?

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1 A. Sure. At the time of the investigation, Dubuque had  
2 three postal facilities. They had the Main Post Office,  
3 the White Street Annex, and the West Side Carrier Annex.

4 Q. When you say "at the time of the investigation," are  
5 you particularly talking about the investigation you did  
6 involving the defendant in this matter, Amy Jurisic?

7 A. Yes.

8 Q. So you said there was the Main Post Office and then  
9 the two different annexes. Can you just briefly describe  
10 what the role of each of these three facilities was back  
11 at the time of the investigation?

12 A. Sure. The Main Post Office was just -- that's where  
13 the window was, so if you as a customer, a postal  
14 customer, wanted to mail an item, purchase stamps,  
15 purchase a money order, the P.O. Box section is at Main  
16 as well, that's what transpired there.

17 The White Street Annex was designed -- it's -- it's  
18 what I call a hub, so all of the mail coming into Dubuque  
19 and out of Dubuque went to the hub, so it went to White  
20 Street. That facility is no longer in operation.

21 And then you have the West Side Carrier Annex, which  
22 houses all the rural carriers and city carriers.

23 Q. And so just, if I'm following you correctly, say a  
24 piece of mail was coming into Dubuque to be delivered to  
25 somebody in Dubuque, it would first come through the

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1 White Street Annex?

2 A. Yes, from a processing facility.

3 Q. And then it would be sorted or somehow transferred  
4 to either the Main Post Office or the Carrier Annex; is  
5 that correct?

6 A. Yes. Usually all the sortation happened at the  
7 processing facilities, so at the hub was -- most of the  
8 mail was cross-docked, so it was taken off of trucks and  
9 then put back on trucks to be disbursed to other  
10 facilities or offices.

11 Q. So there wasn't actually any or very much sorting  
12 going on at the White Street Annex?

13 A. No, I don't believe there was that much in terms of  
14 what you think sorting would be. So I do believe that  
15 some of the mail that was sorted to sequence, delivery  
16 sequence for the carriers, those were unsleeved at White  
17 Street. I believe that that's what happened there.

18 Q. But essentially it was a transfer facility, if you  
19 will?

20 A. Yes, that's a good description.

21 Q. Okay. And you became involved in an investigation  
22 involving mail that was going missing from the Dubuque  
23 postal system, if you will, in 2017 and 2018; is that  
24 correct?

25 A. Yes.

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1 Q. Can you just describe how you or how the Postal  
2 Service first became aware in 2017 that there was the  
3 potential that mail was being stolen or going missing  
4 from the Dubuque Post Office?

5 A. Yeah, we received an allegation in approximately --  
6 I believe it was October of 2017, from a company called  
7 Nord Gear that was based out of Wisconsin. Their banking  
8 institution is Wisconsin Bank and Trust, and Heartland  
9 Financial is over Wisconsin Bank and Trust. Heartland  
10 Financial is in Dubuque, so the mailing address for Nord  
11 Gear was a P.O. Box in Dubuque.

12 Q. Specifically, if, like, vendors or people who had  
13 purchased things from Nord Gear were sending payments in,  
14 they would send them to this P.O. Box in Dubuque?

15 A. Correct.

16 Q. It was actually maintained by this company called  
17 Heartland Financial?

18 A. Yes.

19 Q. Sorry, I interrupted you there. Go ahead and go on.

20 A. When we received the allegation, it actually came  
21 from the Postal Inspection Service, because they had  
22 looked into the external aspects of it -- was it a  
23 courier; was it an employee of Nord Gear -- so they had  
24 to eliminate the outside before they turned to the  
25 inside, was it a postal employee who was responsible. So

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1 basically that initial part of the investigation was  
2 trying to track down where the compromise occurred. We  
3 were never able to determine that, and so that initial  
4 investigation was closed.

5 Q. Okay. And let me unpack that just a little bit. So  
6 the first complaint, when this was first handled by the  
7 Postal Service after Nord Gear or the bank had  
8 complained, it was first with the postal inspectors who  
9 were looking to see if somebody employed by Nord Gear or  
10 Heartland Financial was stealing these checks?

11 A. Correct.

12 Q. And so then after they had excluded that  
13 possibility, the postal inspectors turned it over to your  
14 office, OIG, to investigate whether there was someone who  
15 actually worked in the Post Office who was stealing the  
16 checks?

17 A. Correct.

18 Q. And you say "initially," so you looked into this  
19 sometime in late 2017 and you weren't able to identify at  
20 that time any suspects in the Post Office; is that fair?

21 A. Yes, that's correct. At the time we knew of nine  
22 checks from Nord Gear that had been compromised, and I  
23 believe the compromise happened in the months of -- in  
24 between May to July, and then nothing ever happened after  
25 that with Nord Gear, and we didn't hear of any other

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1 complaints.

2 Q. But then turning to the next calendar year, January  
3 of 2018, did you receive some information that kind of  
4 sparked a new investigation or at least made you  
5 concerned that there might still be somebody who had  
6 stolen checks who worked in the Dubuque Post Office?

7 A. Yes, a complaint came into our hotline at the  
8 beginning of January 2018 that actually identified Amy  
9 Jurisic by name as a person who was stealing mail at the  
10 Dubuque Post Office, checks specifically, and she was  
11 selling those checks in Chicago.

12 Q. And this tip that came into the complaint [sic], was  
13 this an anonymous tip?

14 A. Yes, it was.

15 Q. So you don't know who actually made that tip?

16 A. Yes, there was a name attached to the complaint, but  
17 the name didn't go back to anyone at all.

18 Q. Based upon this tip, did you then start  
19 investigating whether or not Ms. Jurisic was involved in  
20 mail theft?

21 A. Yes.

22 Q. What did you initially do after you received the  
23 tip?

24 A. We went -- we looked into the various components of  
25 processing as to where she worked, because she actually

1 worked in two places. She was assigned to White Street,  
2 but she would go to the Main Post Office approximately  
3 five times a month, and there she put up Post Office Box  
4 mail. So we were trying to figure out where the  
5 compromise was happening, was it at White Street or did  
6 it happen at the Main Post Office. But it wasn't until  
7 mid 2018 that the investigation started to heat up once  
8 we got more additional complaints about mail theft.

9 Q. Okay. I'll come to that in a second, but first, if  
10 you could, you said the defendant was employed or worked  
11 at both the White Street Annex and the -- five times a  
12 month at the Main Post Office, correct?

13 A. Yes, it was my understanding that she would be sent  
14 to the Main Post Office periodically. The postmaster  
15 guesstimated five times a month she would go.

16 Q. Just as needed?

17 A. Yes.

18 Q. What were her duties at the actual White Street  
19 Annex when she was working there?

20 A. It's my understanding she worked mainly on the dock  
21 area, so that meant that she dealt with unloading the  
22 trucks and then dispatching mail, so it would be mail  
23 going back onto the trucks.

24 Q. When you say "dispatching mail," what did that --  
25 what would that have involved?

1 A. There were specific times that trucks had to leave,  
2 so she would make sure those times were met and that they  
3 had the proper mail on them.

4 Q. So her job was to ensure that mail was loaded onto  
5 the proper trucks before that truck needed to leave to go  
6 to wherever?

7 A. Yes.

8 Q. So she would actually be involved in handling the  
9 mail, taking it off of the incoming trucks, handling it,  
10 and then putting it on the trucks that are leaving the  
11 annex?

12 A. Yes.

13 Q. And during the time she was doing this, were there  
14 other employees often present at the White Street Annex,  
15 or was she working alone in that facility?

16 A. To my understanding, she only worked by herself on  
17 Sundays, and I believe that was to deliver Express Mail.

18 Q. Okay. So does that mean -- what other days of the  
19 week would she work?

20 A. Whatever her regular schedule was, she would work.  
21 There were only a handful of employees assigned to White  
22 Street.

23 Q. So less than five?

24 A. I'm -- less than ten.

25 Q. Okay. Now, you said that later in 2018 -- so you

1 received the tip in January of 2018 naming the defendant.  
2 But then later in 2018 the investigation, I think you  
3 said, heated up?

4 A. Yes.

5 Q. What caused the investigation to heat up in the  
6 summer, into fall of 2018?

7 A. We were contacted in approximately August 2018 by a  
8 company called Flexsteel that's based out of Dubuque.  
9 They also have a P.O. Box. And they informed us that  
10 they were having their -- their incoming -- basically  
11 their bill payments, so invoices that were being paid by  
12 their customers, were being taken, so the checks were  
13 being altered or they were being counterfeited and cashed  
14 outside of Iowa.

15 Q. And, again, this is the same situation you kind of  
16 described with Nord Gear, where Flexsteel, based in  
17 Dubuque, maintained a P.O. Box for their customers to  
18 send them checks?

19 A. Correct.

20 Q. To pay invoices?

21 A. Yes.

22 Q. And Flexsteel is a furniture company essentially?

23 A. Yes.

24 Q. And so Flexsteel, did they -- I don't need the exact  
25 number, but did they identify how many checks at that

1 point approximately they had suspected had gone missing?

2 A. I don't remember the number, but they did provide me  
3 a spreadsheet because they had started to have quite a  
4 few. So they were starting to focus on their books and  
5 reach back out to companies that were late in making  
6 their payments to find out if they had submitted  
7 anything.

8 Q. And based upon this information, what did your  
9 office then do?

10 A. Well, we started -- you know, we needed to find out,  
11 again, similar to Nord Gear, did we have an issue  
12 internally or was this externally, so all during this  
13 time we were trying to figure out -- Flexsteel was  
14 looking in-house at their employees, they were looking at  
15 the person who picked up the P.O. Box mail at the Main  
16 Post Office, so that was all going through the process.  
17 About the same time that they reached out to us -- I was  
18 in fairly constant contact with Flexsteel because the  
19 theft was continuing, and they were upset by it, so they  
20 were wanting something done and wanted to make sure we  
21 were doing something. So Flexsteel actually informed me  
22 of something that happened in Illinois with a search  
23 warrant and some of the -- some Flexsteel checks being  
24 found during the search of a house.

25 Q. And that was a search that occurred in Rock Falls,

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1       Illinois; is that correct?

2       A.     Yes.

3       Q.     I'm displaying for you what's been admitted as  
4           Exhibit 1. Briefly -- and this is page 1 of Exhibit 1.  
5           Do you recognize what this is?

6       A.     Yes.

7       Q.     What is Exhibit 1?

8       A.     This is a spreadsheet that initially Flexsteel  
9           provided in terms of checks that had gone missing that  
10          were compromised.

11      Q.     And then did you end up adding other information,  
12       color coding it, and adding other checks along the way to  
13          this spreadsheet?

14      A.     Yes.

15      Q.     So this is a product you essentially produced?

16      A.     Yes.

17      Q.     Looking at page 3 of Exhibit 1, down at the bottom  
18       where there's really no color coding, there's a section  
19       or heading that says Nord Gear Checks. Do you see where  
20          I'm looking?

21      A.     Yes.

22      Q.     Is that a summary of the checks that you described  
23       that went missing that had been sent to Nord Gear in the  
24       summer and early fall of 2017?

25      A.     Yes.

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1 Q. And so based upon the information you received  
2 during the course of your investigation, these are the  
3 checks that were sent to Nord Gear that they never  
4 actually received during that time frame?

5 A. Yes, that was information that Nord Gear provided to  
6 us.

7 Q. And then going back to page 1 of Exhibit 1, there at  
8 the very top there's a heading called Flexsteel Checks,  
9 and then essentially for the next -- all of the rest of  
10 this page, and then all of page 2, and then the first two  
11 lines of page 3, are these checks that during the course  
12 of your investigation Flexsteel identified to you as  
13 having gone missing from the Dubuque Post Office?

14 A. Yes.

15 Q. Okay. Now, I want to talk to you first about the  
16 ones at the top of page 1 that are under another heading  
17 called Checks Recovered by Sterling PD, Illinois. Do you  
18 see where I'm looking there?

19 A. Yes.

20 Q. Now, you were just talking about a search in Rock  
21 Falls, Illinois, but was that search actually conducted  
22 by the Sterling Police Department?

23 A. Yes, I believe it was a task force because I think  
24 the state police in Illinois was involved in the search.

25 Q. So when we talk about checks recovered by Sterling

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1 PD, we're also -- those were the ones that were recovered  
2 in Rock Falls?

3 A. Yes.

4 Q. And Flexsteel actually told you about this  
5 investigation in Illinois, correct?

6 A. Yes.

7 Q. Did you then reach out to Illinois law enforcement  
8 to follow-up with them?

9 A. Yes.

10 Q. And what did you learn about the checks, these  
11 particular checks that had been recovered in Rock Falls?

12 A. That they were recovered during a search, and there  
13 were four arrests incident to the search. It was the --  
14 they were drug-related arrests. So the checks themselves  
15 were just recovered during the search, but they did  
16 not -- they had no information about the checks, other  
17 than they knew that they belonged to Flexsteel, and they  
18 actually returned them to Flexsteel.

19 Q. Okay. When you say they belong to Flexsteel, if you  
20 look here, I believe there's seven checks listed. The  
21 first six were actual legitimate checks that had been  
22 sent by the respective vendors to Flexsteel; is that  
23 correct?

24 A. Correct.

25 Q. And then the seventh one returned, which was from

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1      Globe Furniture, second one from Globe Furniture, was  
2      actually an attempt at making a counterfeit check?

3      A.     Yes.

4      Q.     And, now, on your spreadsheet here at Exhibit 1 you  
5      have these color coded as green, and you kind of have a  
6      key or a legend up there at the top right, but does  
7      that -- if it's color coded green, does that mean those  
8      checks were never attempted to be negotiated?

9      A.     Correct.

10     Q.    Never tried to be deposited or anything?

11     A.    Correct.

12     Q.    So those were recovered without any actual loss?

13     A.    Right.

14     Q.    Now, as part of your investigation, did you look  
15    into whether or not the defendant had any connection to  
16    these four individuals that had been arrested in Rock  
17    Falls?

18     A.    Yes.

19     Q.    And what did you discover?

20     A.    We actually went over and interviewed three of the  
21    people that were arrested. The fourth one had been  
22    transported closer to Chicago. So we interviewed -- two  
23    of them were still incarcerated, one had been released,  
24    so we interviewed those three individuals.

25     Q.    And were these individuals -- do you remember their

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1 names?

2 A. Yes.

3 Q. And what were their names?

4 A. Michael Blandin, Vivica Turio (phonetic), and the  
5 last one escapes me.

6 Q. Is it initials S.T.?

7 A. Sonja Tarrick (phonetic).

8 Q. So you -- you interviewed people with initials M.B.,  
9 V.T., and S.T.?

10 A. Correct.

11 Q. And did you discover any connections between these  
12 three individuals and Amy Jurisic?

13 A. Yes. Two of the people that were arrested were  
14 actually brothers, Nicholas Blandin and Michael Blandin.  
15 And through investigation, the Blandin brothers were  
16 connected to Amy.

17 Q. And how were they connected to her?

18 A. Michael said that he knew Amy through Facebook, that  
19 he had corresponded with her; that they had never talked  
20 about checks. He never said he got the checks from Amy,  
21 but he identified Amy as a postal employee that he knew  
22 in Dubuque.

23 Q. And during the course of your investigation, did you  
24 ultimately obtain Facebook records from Ms. Jurisic's  
25 Facebook account?

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1 A. Yes, her account from Facebook Messenger and from  
2 Michael Blandin's.

3 Q. And were there, in fact, messages between Michael  
4 Blandin and Amy Jurisic in those records?

5 A. The only message between Michael and Amy was -- I  
6 want to say it was like one or two messages, and it was  
7 relative to Nicholas Blandin.

8 Q. And what about -- but were they friends on Facebook?

9 A. Yes, they were.

10 Q. And was she also friends with Nicholas Blandin on  
11 Facebook?

12 A. Yes. She was not friends with the other two  
13 individuals.

14 Q. Now, because of the connection with the Facebook  
15 Messenger, did you also then end up looking at additional  
16 Facebook records from the defendant, like communications  
17 with other people other than just the Blandin brothers?

18 A. Correct, from the warrant, yes.

19 Q. And, specifically, going back to June of 2017, did  
20 you find communications that the defendant had with an  
21 individual related to checks?

22 A. Yes.

23 Q. And what specifically was that?

24 A. The conversation -- there were a few times where  
25 credit cards were mentioned or checks were mentioned in

1      terms of "What can you do with them," "They're  
2      business-to-business checks," "How do you know," "I'm a  
3      postal employee."

4      Q.     And specifically, these conversations in like June  
5      of 2017 were between defendant and an individual with the  
6      initials D.V.?

7      A.     Yes.

8      Q.     And the check that the defendant has pled guilty to  
9      stealing in this matter was actually reflected in a  
10     picture that the defendant sent to D.V. on June 16th of  
11     2017, correct?

12     A.     Yes.

13     Q.     That was a checked made payable to Truck Country for  
14     \$2,280?

15     A.     Yes.

16     Q.     And Truck Country, is that a business similar to  
17     Nord Gear and Flexsteel that was located in Dubuque,  
18     Iowa?

19     A.     Yes.

20     Q.     And incoming -- had mail, checks paying off from its  
21     customers, that would go through the White Street Annex?

22     A.     Yes, they had a P.O. Box mailing address.

23     Q.     Now, moving forward into later in 2018, did you  
24     become aware of another investigation in Illinois related  
25     to stolen checks that was connected ultimately to the

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1 defendant?

2 A. Yes.

3 Q. And how did you become aware of that?

4 A. It started out initially where I reached out to some  
5 banks where these checks had been deposited to get  
6 accountholder information. So through the bank  
7 investigators, they were able to connect me to some other  
8 investigators and to let me know, hey, you might want to  
9 reach out to these people because you guys have parallel  
10 investigations going on.

11 Q. Specifically, did you end up reaching out to some  
12 law enforcement in Chicago who was investigating a stolen  
13 check or check-cashing ring involving an individual named  
14 Davey Hines?

15 A. Yes.

16 Q. And Davey Hines is D-A-V-E-Y H-I-N-E-S?

17 A. Yes.

18 Q. What did you discover when you reached out to these  
19 other investigators who were investigating Mr. Hines?

20 A. They informed me that they had seized a telephone of  
21 his and that they had obtained a warrant for the data on  
22 the phone. So when they did the data dump and started  
23 reviewing it, that -- they were able to connect Amy  
24 Jurisic to Davey Hines.

25 Q. Specifically, they identified a phone number that

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1 belonged to Ms. Jurisic that was communicating with  
2 Mr. Hines via Facebook Messenger?

3 A. It was either Facebook Messenger or via text  
4 message, yes.

5 Q. I'm showing you exhibit -- page 1 of Exhibit 3. I  
6 know this is a little small and hard to read, so let me  
7 know if you ever need me to zoom in or zoom out. But do  
8 you recognize what the three pages of Exhibit 3 are?

9 A. Yes.

10 Q. And are they a portion of the communications between  
11 Mr. Hines and Ms. Jurisic --

12 A. Yes.

13 Q. -- that was recovered?

14 A. Yes.

15 Q. So this -- but this is only a portion of it. This  
16 isn't all of the communications that they had?

17 A. Correct.

18 Q. And if I look, there's two different numbers  
19 involved here. Here where there's outgoing with a 630  
20 area code number, is that the number that belonged to  
21 Davey Hines?

22 A. Yes.

23 Q. And then, right below it, incoming is a 563 number,  
24 is that a Dubuque area code?

25 A. Yes, that's Amy's phone number.

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1 Q. So wherever it says outgoing 630, that's what  
2 Mr. Hines is sending to Ms. Jurisic, correct?

3 A. Correct.

4 Q. And then the incoming from the 563 is what she's  
5 sending back?

6 A. Yes.

7 Q. And then if you look on approximately the middle of  
8 page 1 of Exhibit 3, you'll see an incoming message here  
9 that there's an attachment with a .jpeg file extension.  
10 Do you see that?

11 A. Yes.

12 Q. And that indicates that a photograph was sent along  
13 with the message; is that correct?

14 A. Yes.

15 Q. Okay. And then when you look on page 2, still on  
16 October 14th, you see two more .jpeg images incoming,  
17 correct?

18 A. Yes.

19 Q. Were those photos also recovered as part of the  
20 search warrant that Illinois law enforcement did on  
21 Mr. Hines's phone?

22 A. Yes.

23 Q. And I'm going to show you Exhibit 2, starting on  
24 page 1. Now, is page 1 one of the three photos that was  
25 recovered from this text string?

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1 A. Yes.

2 Q. And then looking at page 5, is page 5 one of the  
3 three that was recovered from a portion of this text  
4 string?

5 A. Yes.

6 Q. Was page 6 the third one that was recovered from  
7 this text string?

8 A. Yes.

9 Q. And then, pages 2, 3, and 4 of Exhibit 2 were  
10 recovered from other portions of this same text string  
11 between Ms. Jurisic and Mr. Hines, correct?

12 A. Yes.

13 Q. Now, back on Exhibit 3, page 1, just below the  
14 first .jpeg attachment, there's an outgoing message that  
15 says "That paper can't be touched cuz of the imprinted  
16 ink that don't come off," what does that mean to you?

17 A. That means to me that they couldn't wash the check  
18 in order to add somebody's name to it.

19 Q. So one of the ways this check fraud would work is  
20 that they would attempt to wash out or delete out who the  
21 check was made paid to, correct?

22 A. Correct.

23 Q. Then they would substitute a different name into it?

24 A. Correct.

25 Q. Allowing them to cash the check into an account?

1 A. Yes, deposit it.

2 Q. And then, a couple messages below that, incoming  
3 from Ms. Jurisic's number, it says, "Can't they be  
4 scratched," what does that mean to you?

5 A. "Can't they be scratched" to me means "Can they be  
6 counterfeited?"

7 Q. And then below that, she says, "I've been getting  
8 these," correct?

9 A. Yes.

10 Q. And then turning to page 2, near the top, at --  
11 October 14th at 10:52:40, an incoming message where  
12 Ms. Jurisic says she's got more. Do you see that?

13 A. Yes.

14 Q. And then Mr. Hines responds by asking to see the  
15 other checks?

16 A. Yes.

17 Q. And that's when Ms. Jurisic then sends two more  
18 images, correct?

19 A. Yes.

20 Q. And then following that, Mr. Hines says in a couple  
21 different messages, "Leave 'em. They too low." And you  
22 take "They too low" to mean the dollar amounts are not as  
23 high as he would like them to be?

24 A. Yes.

25 Q. And then he says, "And they all to da same company,"

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1 correct?

2 A. Correct.

3 Q. And, in fact, of the three images that were  
4 recovered from this portion of the text string, you can  
5 identify that they were all made out to Flexsteel; is  
6 that correct?

7 A. Yes.

8 Q. If you can see who they are made out to?

9 A. Yes.

10 Q. And then continuing on, you see down lower where  
11 Ms. Jurisic says, "I'm mad that 20 one"?

12 A. Yes.

13 Q. And one of the checks, in fact, the check on page 5  
14 of Exhibit 2, is a \$20,000 check made payable to  
15 Flexsteel, correct?

16 A. Yeah, you have to show me the image so I can --

17 Q. There you go.

18 A. Yes.

19 Q. And then, do you see down here where Ms. Jurisic  
20 says, "I know I'm mad. ASLL was moving too quick"?

21 A. Yes.

22 Q. And then Mr. Hines responds, "You took all of them?"

23 A. Yes.

24 Q. And then, Ms. Jurisic replies, "Yeah," and then the  
25 next one down was "There was a lot more"?

1 A. Yes.

2 Q. And then she responds, "But I wasn't doing all  
3 that." And Mr. Hines asks, "Why would you take all the  
4 ones to da same company?"

5 A. Yes.

6 Q. And her response is, "Cuz that's the only one that  
7 be getting them"?

8 A. Yes.

9 Q. And then she identifies that these checks are going  
10 to P.O. Boxes?

11 A. Yes.

12 Q. And then eventually down here they agree that even  
13 though initially they said they were too small and they  
14 weren't going to work, Mr. Hines still directs her to  
15 bring them to him, and she agrees to try?

16 A. Yes.

17 Q. And looking back at Exhibit 2, the checks we have  
18 here are all dated, at least on page -- I'll start with  
19 page 1 of Exhibit 2. Those checks are dated in October  
20 of 2018; is that correct?

21 A. Correct.

22 Q. And the same with the check in page 5?

23 A. Yes.

24 Q. And the checks on page 6 are also from that same  
25 approximate time frame in October of 2018?

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1 A. Yes.

2 Q. Now, when I compare the checks that are listed in  
3 Exhibit 2 to the checks that you have on the spreadsheet  
4 from Flexsteel in Exhibit 1, it appeared only three of  
5 the checks in those three pictures we just looked at are  
6 actually reflected in your spreadsheet; is that correct?

7 A. Yes.

8 Q. And, now, the information that you have in the  
9 spreadsheet was actually provided to you by Flexsteel; is  
10 that correct?

11 A. Yes.

12 Q. So the checks listed in the spreadsheet are the ones  
13 that they knew had gone missing?

14 A. Yes.

15 Q. So it's possible that some checks had gone missing  
16 and they simply hadn't been able to identify that they  
17 had gone missing or been stolen?

18 A. Correct.

19 Q. And that's why these checks that are in these  
20 pictures may not necessarily be on your spreadsheet?

21 A. Yes.

22 Q. And looking at page 2 of Exhibit 1, just to identify  
23 the three checks that are on the spreadsheet and in the  
24 photos, do you see here there's a check that was made  
25 payable to Flexsteel from Dewey Furniture and Carpet?

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1 A. Yes.

2 Q. And that's dated October 12, 2018, in the amount of  
3 \$2,602.80?

4 A. Yes.

5 Q. And looking at page 1 of Exhibit 2, does that appear  
6 to be the check that's reflected at the top of the page?

7 A. Yes.

8 Q. And then, if you go to the very last line of page 2  
9 of Exhibit 1, there's a check from Rucker's,  
10 Incorporated, Rucker's Furniture, made payable to  
11 Flexsteel; is that correct?

12 A. Yes.

13 Q. Dated October 9, 2018, in the amount of \$1,009.50?

14 A. Yes.

15 Q. And this one's a little harder to identify, but  
16 based upon the Rucker's name on the check that's at the  
17 bottom of page 1 of Exhibit 2 and kind of the end where  
18 it says "dollars and 50 cents," and maybe the end of the  
19 word 9 there before dollars, does that appear to be that  
20 check?

21 A. Yes, it does appear to be the check.

22 Q. And then the last one is on page 6 of Exhibit 3. Do  
23 you see where there's a -- here, a check on page 2 of  
24 Exhibit 1, from Blackstone Emporium, Inc., made payable  
25 to Flexsteel on October 9th of 2018 in the amount of

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1       \$6,672.32?

2       A.     Yes.

3       Q.     And this one has a hole in it, but does that appear  
4       to be the check that's at the very top of page 6 of  
5       Exhibit 3?

6       A.     Yes, other than the majority of the name is  
7       obscured, but it does look to be the same check.

8       Q.     Same amount and date on it anyway?

9       A.     Yes.

10      Q.     Now, I want to talk to you in a little bit more  
11       detail about your spreadsheet. Did checks continue to go  
12       missing over the course of your investigation from  
13       Flexsteel?

14      A.     Yes.

15      Q.     So did they continue to provide you supplemental  
16       information, if you will, about more checks that were  
17       going missing?

18      A.     Yes. As time went on, it got less and less.

19      Q.     And does the information reflected in Exhibit 1  
20       reflect all of the information you received from  
21       Flexsteel of checks that they said had gone missing  
22       during the, sort of the early spring -- I think the  
23       earliest is April of 2018 -- through approximately  
24       October of 2018. Are all those checks reflected in this  
25       spreadsheet in this kind of middle section on pages -- or

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1 bottom section of page 1 and all of page 2?

2 A. Yes, all of the checks listed would have been checks  
3 that Flexsteel notified us about. There may be a few  
4 checks that we learned about through the banks. When  
5 they determined that an account was fraudulent, they  
6 would look at all the checks that had been deposited, so  
7 any that contained Flexsteel checks were directed to me.

8 Q. So you learned of this either from Flexsteel or from  
9 the bank identifying checks that were being deposited  
10 into fraudulent accounts?

11 A. Correct.

12 Q. Now, I want to talk to you about a few other things  
13 that are reflected on your spreadsheet here. We already  
14 talked about the green color coding. What about the --  
15 you have a number of these that are in an orange or gold  
16 highlight color coding. What does that represent on the  
17 spreadsheet?

18 A. Can you pull the spreadsheet down just a little bit?

19 Q. Sure.

20 A. Okay, the orange reflects the actual loss. There's  
21 actual loss connected to the check.

22 Q. So the ones highlighted in orange or gold were  
23 checks that were actually deposited into bank accounts?

24 A. Yes, and the full amount of the check may have not  
25 been lost. There might have just been a portion because

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1       they learned about the fraud and then shut the account  
2       down.

3       Q.     And on the right side of your spreadsheet, if we  
4       look at this first one on page 1 that's color coded  
5       orange, you have the actual loss written out there. In  
6       this case it is the same as the actual check amount, but  
7       if it were different, on the spreadsheet you have the  
8       actual loss amount written in this far right column; is  
9       that correct?

10      A.     Yes.

11      Q.     And then, you have some here that are color coded as  
12       gray. What does that mean?

13      A.     That means I knew about the check, but I didn't have  
14       an image of the check.

15      Q.     So you never received a digital image --

16      A.     Correct.

17      Q.     -- or picture of it?

18      A.     Yes.

19      Q.     And then some are in blue. What does that mean?

20      A.     That means there were some banks that never  
21       responded as to whether there was a loss, and there were  
22       a few banks that I did not contact to determine if there  
23       was actual loss.

24      Q.     So some of these checks may have been deposited into  
25       banks, but you don't know if that bank actually paid out

1 on the check or not?

2 A. Correct.

3 Q. And then, also in here, in the far right column,  
4 there are names that are in red. Do you see that?

5 A. Yes.

6 Q. What do the red names represent?

7 A. Those were the names on the check, so either  
8 Flexsteel was removed from the check and that name was  
9 added or that name was in addition to Flexsteel.

10 Q. So they were added to the made payable line either  
11 in replacement of Flexsteel or in addition to Flexsteel?

12 A. Correct.

13 Q. And you say some of these were an endorsed name on  
14 the check. Does that mean they were actually signed on  
15 the back by -- in that name?

16 A. Yes.

17 Q. Now, they were initially deposited into accounts in  
18 these names, correct?

19 A. Yeah, so, for example, you'll see a check that was  
20 endorsed by Joshua Keys. He would be the accountholder.

21 Q. Okay. So if -- the endorsed name on here, it would  
22 also reflect the name that the bank had as the holder of  
23 the account?

24 A. Correct.

25 Q. And as you went through these checks and saw the

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1 names of -- being endorsed, did you see the same names  
2 popping up multiple times?

3 A. Yes.

4 Q. So, for example, looking here on page 2, do you see  
5 where the name Ad Thomas shows up in a couple different  
6 locations?

7 A. Yes.

8 Q. And also the name Gabrielle Sharpe appears multiple  
9 times?

10 A. Yes.

11 Q. And then looking on page 3, the first two lines of  
12 page 3 of Exhibit 1 also reflect checks that were made  
13 payable to Flexsteel that went missing, correct?

14 A. Yes.

15 Q. And then below that we have a section called Dubuque  
16 Checks Other Than Flexsteel, and there's four checks  
17 reflected, correct?

18 A. Yes.

19 Q. So these were checks made payable to companies other  
20 than Flexsteel that during the course of your  
21 investigation you learned had been stolen and  
22 attempted -- or fraudulently deposited in the case of the  
23 first three; is that correct?

24 A. Correct.

25 Q. And do you see where -- well, first, the top check

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1       in the Dubuque Checks Other Than Flexsteel portion was  
2       made payable to Kendall Hunt Publishing, correct?

3       A.     Correct.

4       Q.     And they too had a P.O. Box in Dubuque, Iowa, where  
5       checks would be mailed?

6       A.     Yes.

7       Q.     And that was in September of 2018, is the date on  
8       the check?

9       A.     Yes.

10      Q.     And that ended up being made -- endorsed by,  
11       deposited by Ad Thomas into his Bank of America account;  
12       is that correct?

13      A.     Yes.

14      Q.     And I think it kind of varies in here, but sometimes  
15       we refer to Bank of America as B of A?

16      A.     Yes.

17      Q.     And then the check right below that was made payable  
18       to Tama USA, Incorporated; is that correct?

19      A.     Correct.

20      Q.     And is that also a business located in Dubuque that  
21       had a P.O. Box at the Dubuque Post Office?

22      A.     Yes.

23      Q.     And that check was dated August 28th of 2018?

24      A.     Yes.

25      Q.     And then the one below it is also to Tama USA,

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1 Incorporated, correct?

2 A. Yes.

3 Q. And that was deposited by Gabrielle Sharpe?

4 A. Correct.

5 Q. So those two names were the same names as we had  
6 seen on checks being deposited that had been made out to  
7 Flexsteel, correct?

8 A. Correct.

9 Q. And then the fourth check here in the Dubuque Checks  
10 Other Than Flexsteel category, that's the check that  
11 Ms. Jurisic actually pled guilty to stealing, correct,  
12 the Truck Country check that we talked about earlier?

13 A. Yes.

14 MR. MORFITT: Nothing further, Your Honor.

15 THE COURT: Cross-examination.

16 MR. NATHAN: Thank you, Your Honor.

17 CROSS-EXAMINATION

18 BY MR. NATHAN:

19 Q. Good morning, Agent. How are you doing?

20 A. Good morning. Good.

21 Q. I'm displaying Defense Exhibit E on a screen in  
22 front of you. It appears to be the rear of the building.  
23 Do you see that?

24 A. Yes.

25 Q. Now, this is the rear of the White Street Annex,

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1 correct?

2 A. Yes.

3 Q. The White Street Annex building, it was occupied in  
4 part by the United States Postal Service, correct?

5 A. Correct.

6 Q. It was also occupied by numerous other organizations  
7 or businesses, correct?

8 A. That's what I understand, yes.

9 Q. You see a number of docks at the rear of the  
10 building, correct?

11 A. Yes.

12 Q. Were all of those docks used by the United States  
13 Postal Service, or is it your understanding that some of  
14 those docks were used by other companies or organizations  
15 who used that building?

16 A. I have no idea as to whether other companies -- I  
17 have no knowledge of that. I would assume they were used  
18 only by the Postal Service.

19 Q. Okay. Is there a reason that, without any knowledge  
20 of by whom they were used, that you would assume they  
21 were used only by the Postal Service?

22 A. I would assume that, yes. I can't say that another  
23 business didn't ask to borrow the dock to move something  
24 in for some reason, but . . .

25 Q. You're aware obviously that there was an

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1 administrative proceeding against Ms. Jurisic?

2 A. Yes.

3 Q. Are you familiar with some of the evidence that was  
4 introduced at that hearing?

5 A. No.

6 Q. Are you familiar with the names of any other postal  
7 employees from the White Street Annex in Dubuque?

8 A. I know that Amy's sister works for the Post Office,  
9 yes. There's a few employees that I know by name, but,  
10 no, I don't recognize the name on the exhibit.

11 Q. So you are looking at Exhibit C in front of you  
12 right now, I believe.

13 A. Yes.

14 Q. Do you see a Tom Olinger?

15 A. Yes.

16 Q. Maintenance?

17 A. Yes.

18 Q. Do you see where he states that the docks at the  
19 White Street location were, in fact, shared?

20 A. Which part does it say that it was shared, which  
21 bullet point?

22 Q. If you look at the first bullet point, it says,  
23 "Sometime in 2018 the overhead door between the Fischer  
24 side and the postal side of the dock was off the rails  
25 and would not open further or close." So that means --

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1 to me, that means that the inside space off the exterior  
2 dock, that there would have been an inside door between  
3 Fischer and USPS. Is that how you read that?

4 A. That's how I read it, yes.

5 Q. Okay. And if the interior door between Fischer and  
6 USPS would not close, then there would have been an  
7 opening between the Fischer Company and USPS, their  
8 shared spaces -- or, excuse me, their separate spaces?

9 A. Correct. Apparently there was a door that was  
10 separating them.

11 Q. And the letter, as authored by Tom Olinger,  
12 indicates that door that was supposed to separate the  
13 Fischer space from the USPS space would, in fact,  
14 sometimes not be closed?

15 A. It says that it was open and couldn't be closed or  
16 was partially open.

17 Q. And, in fact, the letter states that it would remain  
18 open approximately 3-and-a-half feet off the ground until  
19 USPS moved out in November of 2018?

20 A. Yes, that's what it says.

21 Q. The next bullet point down says the dock doors for  
22 the Fischer side were broken. Do you see that?

23 A. Yes.

24 Q. Now, when I read that, it makes me think that some  
25 of the docks that we saw at the rear of 750 White Street

1 belong to Fischer. Is that how you interpret that?

2 A. The dock doors for the Fischer side were broken.

3 That's what it says.

4 Q. Okay. So that means that it is possible or likely  
5 that Fischer used some of those dock doors at the rear of  
6 750 White Street, correct?

7 A. According to this document.

8 Q. That, of course, means that in addition to the  
9 approximately ten employees for the United States Postal  
10 Service, that there would have been employees for the  
11 Fischer Company working on those docks, correct?

12 A. I don't know if the Fischer Company had employees  
13 working on their dock.

14 Q. Why would you have a dock unless there were  
15 employees working on the dock?

16 A. I don't know what the Fischer Company does, so I  
17 don't know what their purpose would be for the dock.

18 Q. No, I understand, but can you think of a reason why  
19 a company would have a dock unless it were using that  
20 dock? I can't. I'm just asking you.

21 A. Yeah, but I can't attest to how often they used it  
22 or what they were moving in and out.

23 Q. Got it. So you can't think of a reason why a  
24 company would have a dock and not use it, right?

25 A. I can't think of a reason, no. Unless it was part

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1 of their lease arrangement.

2 Q. The letter also states that the Fischer dock doors  
3 would not lock and they were not fixed until after the  
4 Post Office moved out, correct?

5 A. Yes, that's what it says in the second bullet point.

6 Q. Are you aware of some sort of door that would have  
7 connected the Fischer side of the building and the USPS  
8 side of the building?

9 A. No.

10 Q. But this letter says there was, right?

11 A. That's what it says.

12 Q. Okay. And the letter then says that the door  
13 between the Fischer side and the Post Office side would  
14 not lock, right?

15 A. That's what it says.

16 Q. Suggesting that Fischer employees would have had  
17 access to the USPS space, correct?

18 A. I -- I can't say yes or no or -- I don't know what  
19 the Fischer employees did. I don't know why they would  
20 have reason to come on another business's side of the  
21 building.

22 Q. I'm going to direct your attention now to Defense  
23 Exhibit D. It's a statement from Donita Black. Are you  
24 aware Ms. Black was employed at USPS?

25 A. No, this employee is not familiar to me.

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1 Q. Okay. Do you see the sixth bullet point down from  
2 the top?

3 A. Yes.

4 Q. Where it states that the dock doors were frequently  
5 left open during the day due to the extreme heat during  
6 the warmer months?

7 A. Yes.

8 Q. Now, that suggests that the USPS dock doors were  
9 left open during the summer, correct?

10 A. Correct.

11 Q. And if the dock doors were left open during the  
12 summer, then anyone could have access to the interior of  
13 the USPS space?

14 A. If the dock doors were open, you would have to be  
15 tall enough to get up onto the -- because it doesn't  
16 touch the ground, so . . . But I suppose, technically, an  
17 individual could access the Post Office climbing through  
18 the dock access door.

19 Q. The dock doors don't look particularly high to me  
20 off the ground. Would you agree that they're  
21 approximately 2 or 3 feet off the ground?

22 A. I don't know. I can't tell. But if you look,  
23 there's a car that's parked up next to the dock, dock  
24 doors.

25 Q. Yep.

1 A. And the door's kind of -- is it -- that looks like a  
2 Suburban or a Tahoe, so that's a pretty big vehicle, and  
3 the dock door is above that, above the hood of the  
4 vehicle.

5 Q. So the dock doors are above the hood of the vehicle.  
6 So it might be 3 or 4 feet off the ground?

7 A. I would say probably -- if I walked up to it, it was  
8 probably more like 5 feet.

9 Q. Okay. In addition to the full-time employees for  
10 the United States Postal Service that worked at the White  
11 Street Annex, were there other employees who worked  
12 there? Contract employees, for example?

13 A. I don't know. I don't know of any contract  
14 employees. If they would, they would be truck drivers.

15 Q. So when you don't -- when you say you don't know of  
16 any contract employees, is that because you have no firm  
17 knowledge as you sit here of actual names, or are you  
18 saying that there were no other contractor employees who  
19 worked there?

20 A. The only contract employees that the Postal Service  
21 has would be the truck drivers, the highway contract  
22 route drivers.

23 Q. So then there are, as you said, highway contractor  
24 truck drivers who would also go to that location and drop  
25 off mail?

1 A. Correct.

2 Q. Okay.

3 A. And pick up mail as well.

4 Q. Now, what is a star route driver?

5 A. A star route driver is a contract driver that goes  
6 out. Again, the White Street Annex in Dubuque -- so  
7 Dubuque is a hub, so all of the incoming mail for Dubuque  
8 and the surrounding areas is going to come through  
9 Dubuque, so it's going to come from Cedar Rapids mainly  
10 to Dubuque.

11 Q. So a star route driver, for example, is not an  
12 actual employee of USPS; they're a contract employee?

13 A. Yes, there are some actual postal employees who will  
14 run routes, but a lot of them are contracted.

15 Q. I'm going to direct your attention back to Exhibit  
16 D, and now it's the seventh bullet point from the  
17 bottom -- excuse me, from the top, where it says "Star  
18 route drivers accessed the inside of the building to get  
19 whatever equipment they needed for their routes. They  
20 had free roam of the postal facilities and would pass  
21 through the areas where the mail was to get to and from  
22 the men's room." Right?

23 A. Yes, that's what it says.

24 Q. So in addition to USPS employees -- of which there  
25 are approximately ten, is my understanding -- there were

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1 also additional contract employees who had access to the  
2 inside of that White Street Annex, correct?

3 A. Yes, the star route drivers; sounds like they used  
4 the restroom.

5 Q. And, finally, do you see the bottom of Exhibit D?  
6 It's the very last bullet point on the letter authored by  
7 Donita Black, where it states "After May of 2018, if I  
8 worked an earlier shift, 9:30 start time instead of my  
9 normal time, 11:30, there were times that none of the  
10 doors were locked when I arrived and no one was there"?

11 A. Yes, I see that.

12 Q. And then would you agree with me that from Exhibit  
13 E, which shows the rear of the White Street location,  
14 that there are no fences around the rear of the White  
15 Street location?

16 A. Yes, there's no fence that would lock people out of  
17 the lot.

18 Q. There's no gates, correct?

19 A. Correct.

20 Q. And I don't see any security cameras, but I could be  
21 wrong?

22 A. No.

23 Q. So in addition to the fact that the facility is not  
24 secured by a fence or a gate or security cameras, it also  
25 appears that some of the doors were left unopened [sic]

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1 overnight?

2 A. Well, she didn't say they were left opened  
3 overnight. She just --

4 Q. "Unlocked," I apologize, you're right, "unlocked."

5 A. Yes, when she got there, they were unlocked.

6 Q. I'm going to show you another statement from JoAnn  
7 Huss, marked as Exhibit D1, dated 4-19-19. The very  
8 first dashed or hyphenated point states "White Street  
9 entrance on White left unlocked between blue box  
10 collection times." What is blue box collection times, to  
11 your knowledge?

12 A. Those are the times that is designated, so you'll  
13 see those times posted on the blue boxes, as to when the  
14 mail is picked up out of the box.

15 Q. Any of the mail that you've discussed so far --  
16 would any of those pieces of mail been in a blue box? I  
17 don't know. I'm just asking.

18 A. No.

19 Q. I have now put Exhibit D2 on the screen in front of  
20 you. It's a letter authored by Wade Lux. Do you see  
21 that?

22 A. Yes.

23 Q. It states, "The south side of the annex was open to  
24 whomever walked in." Do you see that?

25 A. Yes.

1 Q. So, again, I think he probably means the door was  
2 not locked instead of actually just wide open, correct?

3 A. Correct.

4 Q. And it says on the next bullet point down, "The  
5 keypad door, truck drivers came in, left the door wide  
6 open, would come in to get any equipment they needed," is  
7 this sort of consistent with the other information, that  
8 the star route drivers would come in and have access to  
9 the interior space?

10 A. Yes.

11 Q. And then the third point down says "Dock doors left  
12 open and unlocked all day"?

13 A. Yes, that's what the bullet point says.

14 Q. And it says "open and unlocked," which suggests not  
15 just that they were unlocked but also open, as in someone  
16 could walk in without actually opening the door?

17 A. Yes.

18 Q. And the bottom bullet point sort of states what I  
19 alluded to earlier, that because there are no fences, no  
20 gates, no security, no cameras, that if there were  
21 monthly festivals on Jackson Street, which I believe is  
22 nearby to this location, that people could park illegally  
23 in the USPS lot?

24 A. I have no information about that, but there's no  
25 gate, there's no fence around the lot, so I would assume

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1 other cars that weren't postal employees could park in  
2 there. No one would stop them.

3 Q. That's what I'm getting at, that no reason to  
4 believe they would have been stopped from parking there  
5 and loitering.

6 A. Correct.

7 Q. I believe that the defendant started in 2016; is  
8 that right?

9 A. Yes.

10 Q. So no issues that you are aware of in 2016, right?

11 A. Not that I am aware of.

12 Q. And just to be clear, do you know actually how many  
13 employees either -- worked full-time at the White Street  
14 Annex, or are you just guesstimating?

15 A. It's just an estimate. I don't know the exact  
16 number.

17 Q. So what is your -- what is your estimate as to how  
18 many employees are at the White Street location as their  
19 permanent assignment?

20 A. There's a handful of employees that work there. I  
21 estimated around ten. And they all wouldn't be there at  
22 the same time because they would have different start  
23 times.

24 Q. How many other employees who are not permanently at  
25 the White Street location would also, for example,

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1 transfer there -- five to six times a month, for  
2 instance -- or even just cover there once in a while?  
3 A. I don't have any knowledge.  
4 Q. Could be a few, could be a lot, you just don't know?  
5 A. I don't know.  
6 Q. How many contractors that we discussed earlier would  
7 come and go through the White Street Annex, if you know?  
8 A. I don't know.  
9 Q. Could be a lot, could be a little?  
10 A. I don't actually know how many star routes there  
11 are.  
12 Q. So it could be a lot, could be a little, you just  
13 don't know?  
14 A. I don't know.  
15 Q. All right. I believe there are 76 checks to  
16 Flexsteel, approximately, right?  
17 A. I don't know the number that's listed on the  
18 spreadsheet, I'm sorry. I don't know the exact number.  
19 Q. Okay. But you agree the vast majority of checks  
20 that we're discussing here are to Flexsteel?  
21 A. Yes, except for the ones to Nord Gear --  
22 Q. Right.  
23 A. -- and then those other four I believe that were not  
24 Flexsteel checks.  
25 Q. And then approximately eleven checks to Nord Gear?

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1 A. Yes.

2 Q. And then literally like one or two checks to Truck  
3 Country, Kendall Hunt Publishing, and Tama USA?

4 A. Yes.

5 Q. Okay. And would you agree that these checks are  
6 literally sent from almost every state in the country?

7 A. Yes.

8 Q. If I told you the checks came from Florida, Idaho,  
9 Georgia, Virginia, California, Texas --

10 (Interruption by the court reporter.)

11 MR. NATHAN: Sorry. I'll try to go slower, but  
12 there's a lot of states to go through.

13 Q. Florida, Idaho, Georgia, Virginia, California,  
14 Texas, Kentucky, Nevada, New York, New Hampshire,  
15 Vermont, Maryland, Alabama, Arizona, Illinois,  
16 Washington, South Carolina, Wisconsin, Indiana, Montana,  
17 Ohio, North Carolina, Pennsylvania, that would sound  
18 right to you, wouldn't it?

19 A. Yes.

20 Q. Now, I believe that all of these checks were sent  
21 regular mail?

22 A. Yes, First-Class Mail.

23 Q. First-Class Mail means that the mail was not  
24 tracked, right?

25 A. There is some First-Class Mail that has tracking,

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1 yes, but these pieces would not.

2 Q. So I understand, of course, that it's the  
3 implication that Ms. Jurisic is responsible for these  
4 pieces of mail going lost, but there's no information  
5 regarding where these checks were -- I'm going to use the  
6 word "seen," but no information regarding where they were  
7 last seen, other than that we know they were mailed by  
8 the payor, right?

9 A. They were mailed by the payor, yes; they were put  
10 into the mail stream.

11 Q. And after that, there's no direct evidence  
12 suggesting -- excuse me, there's no direct evidence  
13 indicating where they went missing, right?

14 A. No, there's evidence to suggest they went missing in  
15 Dubuque.

16 Q. Okay. How many facilities would each of these  
17 checks have gone through before they arrived in the I  
18 guess Dubuque ZIP Code?

19 A. A few.

20 Q. How many other locations within Dubuque would these  
21 checks have gone through before going to the White Street  
22 Annex location?

23 A. Probably one processing facility. It doesn't mean  
24 that they were processed. It could mean they were just  
25 cross docked. So I would say -- yeah, I'll just leave it

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1 at that.

2 Q. So it sounds like you are saying most of these  
3 checks would have gone through another processing  
4 facility in Dubuque before going to the White Street  
5 Annex?

6 A. Yes, they would have been put in delivery point  
7 sequence, so they would have received processing in Iowa,  
8 so they went through a processing facility in Iowa.

9 Q. Am I correct that Ms. Jurisic never worked at this  
10 other separate processing location?

11 A. Correct.

12 THE COURT: Can I get a clarification? The  
13 question to you was, it would have gone through a  
14 processing facility in Dubuque before going to the White  
15 Street Annex. I understood you not to identify a  
16 processing facility in Dubuque. So the processing  
17 facility would have been located where in Iowa?

18 THE WITNESS: Cedar Rapids more than likely is  
19 where it went through.

20 THE COURT: All right. Thank you.

21 BY MR. NATHAN:

22 Q. You indicated during the earlier portion of your  
23 direct that law enforcement was initially unable to  
24 determine the point at which these pieces of mail were  
25 stolen?

1 A. For Nord Gear?

2 Q. For Nord Gear, correct.

3 A. Yes.

4 Q. Okay. And I think that after some back and forth,  
5 that you then said that the postal inspectors determined  
6 that the source of the thefts were not external, meaning  
7 that Nord Gear was not responsible for the thefts; is  
8 that right?

9 A. Correct, they had exhausted the external aspect of  
10 the investigation and believed that it was an internal  
11 issue.

12 Q. I expect that when law enforcement initially did an  
13 internal investigation into the Nord Gear checks, that  
14 they looked at all of the employees at the Dubuque Main  
15 facility, correct?

16 A. Yes, I would -- for the internal investigation, yes,  
17 we were looking at all postal employees, anyone who would  
18 have had access to the mail, so that would have been at  
19 White Street and the Main Post Office.

20 Q. And OIG, the internal investigation, was not able to  
21 exclude at that time any of the employees at the main  
22 entrance -- or Main facility, correct?

23 A. Initially, correct.

24 Q. And initially, OIG was unable to exclude any of the  
25 employees at the White Street Annex, correct?

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1 A. Initially.

2 Q. So from that, I gather that there were numerous  
3 employees who would have had access to the Nord Gear  
4 checks, correct?

5 A. Any employee at White Street and any employee at the  
6 Main Post Office, yes, would have had access to it, but  
7 Amy was the only common denominator with all of these  
8 checks.

9 Q. I'm sorry, are you saying that there weren't  
10 additional common denominators in the form of the other  
11 employees at White Street Annex?

12 A. No, there were no connections to any employees,  
13 other than Amy.

14 Q. You mean other than if the employees also worked at  
15 the White Street Annex, right?

16 A. Employees from the Main Post Office or employees at  
17 White Street?

18 Q. White Street. The White Street employees also would  
19 have had access to all of these checks, correct?

20 A. Correct.

21 Q. And that's at least ten actual employees at White  
22 Street, right?

23 A. Yes, and I don't know the exact number of who was  
24 full-time and part-time at White Street.

25 Q. Sure. So it's some number of full-time employees,

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1 some number of employees who would have occasionally  
2 moonlighted at White Street, and then you don't know how  
3 many star route drivers also had access to White Street,  
4 right?

5 A. I do not know the number of star routes.

6 Q. There are, of course, a number of checks that are  
7 not photographed, fair to say?

8 A. No, every one that was listed as far as a loss goes,  
9 I would have a copy of the check.

10 Q. I'll rephrase that. What I mean is that there are a  
11 number of checks that were not photographed and sent  
12 between Ms. Jurisic and another person, correct?

13 A. I -- I don't know. We're only dealing with the  
14 Davey Hines portion. I know that Amy was connected to  
15 other individuals in the Chicago area who were also  
16 cashing stolen checks.

17 Q. How many photographs in total were photographed and  
18 sent from the defendant to Davey Hines? I see maybe less  
19 than two handfuls in the government's exhibits, so is  
20 that accurate?

21 A. Yeah. I'm going to say -- of course, you have the  
22 three images and then the other images that went between  
23 Amy and Davey Hines were -- some of it was credit cards;  
24 some of it was pictures of like a debit card or a credit  
25 card and then it might have been a portion of the outside

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1 of the envelope.

2 Q. All right. But then my question was simply how many  
3 checks were photographed and sent from Amy Jurisic to  
4 Davey Hines, and I believe the answer, as reflected in  
5 the discovery and the exhibits from the government, are  
6 between one and two handfuls?

7 A. Yes, and I believe it's those three images that were  
8 shown as an exhibit, those were the checks.

9 Q. And of the remaining checks that were not  
10 photographed and sent between the defendant and Davey  
11 Hines, Ms. Jurisic obviously admitted to stealing none of  
12 those remaining checks, correct?

13 A. The Truck Country check, but you're right, that was  
14 sent to Davey Hines.

15 Q. Right.

16 A. Yes.

17 Q. So none of the other Flexsteel checks, correct?

18 A. She pled to the Truck Country check, so that's the  
19 only one I'm aware that she admitted to.

20 Q. And no one identified her as stealing any of the  
21 remaining Flexsteel checks that were not photographed and  
22 sent between Ms. Jurisic and Davey Hines, correct?

23 A. Correct.

24 Q. I believe there was never a search warrant enforced  
25 at Ms. Jurisic's home?

1 A. No, there was not.

2 Q. So law enforcement has no information that  
3 Ms. Jurisic was in possession of any of the envelopes of  
4 any of the remaining unphotographed checks, correct?

5 A. Correct.

6 Q. The checks that were cashed, I saw a long list on  
7 the Excel spreadsheet. Obviously, the defendant's name  
8 appears nowhere in that list. She did not endorse any of  
9 the stolen checks, correct?

10 A. Correct, at least not in her name. Whether she  
11 endorsed it in someone else's name, I don't know.

12 Q. Great point. So did law enforcement get any video  
13 recordings from any of those ATMs or banks showing the  
14 person who deposited those checks?

15 A. Yes, and Amy was in none of the video.

16 Q. Okay. So Amy did not endorse any of the checks in  
17 her name and Amy appears in none of the videos, correct?

18 A. Well, I can't say Amy didn't endorse the checks  
19 because she was physically in Chicago. She could have  
20 signed the back but somebody else could have made the  
21 deposit. That's how the check-cashing ring worked. They  
22 involved multiple people.

23 Q. But you agree none of the names used as endorsements  
24 were in Amy's name?

25 A. Correct.

1 Q. Was any sort of handwriting analysis done to see if  
2 any of the handwriting on the endorsed checks matched  
3 Ms. Jurisic's handwriting?

4 A. No.

5 Q. And, as you said, I believe, she was not with any of  
6 the people who cashed the checks?

7 A. Not that you could see from the surveillance video.

8 Q. Were any of those persons interviewed?

9 A. No, because none of those people were identified.

10 Q. The anonymous tip, it sounds like they weren't  
11 anonymous; they actually went the extra step of inventing  
12 some sort of a fictitious name?

13 A. Yes, they supplied a name and contact information,  
14 but it never went to anyone. It was a bogus phone  
15 number; it was a bogus address.

16 Q. And I don't believe they ever quantified the number  
17 of checks that Ms. Jurisic stole?

18 A. No, there was no number associated to the  
19 allegation.

20 Q. They didn't say which checks she was stealing,  
21 correct?

22 A. No, correct.

23 Q. In your time with OIG, have you ever seen one USPS  
24 employee accuse another employee to hide their own  
25 involvement in mail theft?

1 A. I'm trying to think --

2 Q. Okay.

3 A. -- if I've come across that. I'm going to say no,  
4 because oftentimes guilty people will say, well, I'm not  
5 going to accuse so and so of it or this person, so  
6 they'll say, no, they don't have any idea who would steal  
7 mail.

8 Q. All right. The search warrant in Rock Falls, that  
9 search warrant was for drug trafficking, correct?

10 A. Yes.

11 Q. And I believe that the defendant, Ms. Jurisic, was  
12 not named in the search warrant obviously?

13 A. Correct.

14 Q. Nothing belonging to -- I'll rephrase that. Nothing  
15 in the defendant's name was found during that search  
16 warrant's execution, right?

17 A. Correct.

18 Q. Now, the statements from the people that you  
19 interviewed, they were unsworn, correct?

20 A. Well, two of them were incarcerated.

21 Q. Yep.

22 A. So they were -- yes, they were advised of their  
23 rights, if that's what you mean, but they didn't swear to  
24 their statements.

25 Q. That's what I mean. So they didn't swear to their

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1 statements?

2 A. Correct.

3 Q. And then I believe at least in the case of Michael  
4 Blandin, he asked that the interview not be recorded?

5 A. That's what he asked.

6 Q. Any information of connection between Michael  
7 Blandin or Nicholas Blandin and Cedar Rapids?

8 A. I know they had a relative that lived in Dubuque.

9 Q. Uh-huh.

10 A. I do not know if they had one that lived in  
11 Cedar Rapids.

12 Q. Would those six checks have traveled through  
13 Illinois before arriving in Dubuque, the ones recovered  
14 from Rock Falls?

15 A. It's hard to tell where their main processing is  
16 because the checks were coming from different parts of  
17 the country, so I'm not going to say it couldn't have  
18 gone through Chicago because it certainly could have.

19 Q. And the Blandins had contacts or connections to  
20 Chicago, didn't they?

21 A. Yes, they're from the Indiana area, Chicago area, up  
22 there.

23 Q. The greater Chicagoland, right?

24 A. Yes.

25 Q. The seventh check, the counterfeit check that was

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1 found in Rock Falls, that was payable to the sister of  
2 the Blandins, correct?

3 A. Yes, she's a sister.

4 Q. That would suggest, of course, that the Blandins  
5 washed that check, right?

6 A. It was counterfeit, so it wasn't washed, so they  
7 actually created it from --

8 Q. That's what I meant. I'm sorry, you're right.

9 A. Yes.

10 Q. And as you said during direct, while law enforcement  
11 obtained the Facebook records between the defendant and  
12 Michael Blandin, those communications did not say  
13 anything about checks, credit cards, or anything like  
14 that, right?

15 A. Correct.

16 Q. And the Flexsteel checks that were found during the  
17 search warrant, they weren't actually found in the room  
18 or rooms that were used by Michael or Nicholas Blandin.  
19 I believe they were found in V.T.'s or Ms. Trios's room;  
20 is that right?

21 A. Yeah, she said she used that room, but also Nick  
22 Blandin used the room.

23 Q. And the connection between Nick Blandin and the  
24 defendant, did they actually have a connection, or was  
25 the connection actually between the defendant and Michael

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1 Blandin?

2 A. No, I believe she corresponded with Nick Blandin the  
3 most. He didn't use his name on Facebook. He used  
4 different names.

5 Q. Okay. If I could, could I talk to you generally  
6 about internal employee theft at USPS. I saw a report  
7 that between October of 2019 and September of 2020, that  
8 OIG nationwide investigated approximately 1200 -- 1200  
9 suspected mail thefts by employees. Does that sound  
10 right to you?

11 A. It could be. They put those national numbers out,  
12 but I'm -- if you actually read it from the OIG website,  
13 then it's accurate.

14 Q. So you would agree that it's not uncommon over a  
15 12-month period for OIG to investigate over a thousand  
16 reports of suspected employee theft?

17 A. Yes, but I'm better able to attest to what we  
18 investigate here in Iowa.

19 Q. And I'm going to get to Iowa in a second.

20 A. Okay.

21 Q. All right. And I saw something else where between  
22 March of 2020 and February of '21 that there were also  
23 over a thousand investigations relating to employee mail  
24 theft. Again, would that sound correct to you?

25 A. Nationwide?

1 Q. Yep.

2 A. Yes.

3 Q. And then between March of '19 and February of 2020,  
4 there were over 1100 nationwide investigations relating  
5 to employee theft?

6 A. Yes. I mean, I don't know where you are getting  
7 your statistics from, so . . .

8 Q. I'm just asking you --

9 A. I don't know, because I don't pay attention to the  
10 national stats, so . . .

11 Q. I'm asking you just based on your 14 years of  
12 experience with OIG whether these numbers sound correct  
13 to you, and it sounds like they do.

14 A. Yeah, they sound like they're probably accurate.

15 Q. And based on your 14 years of experience with OIG,  
16 would you be surprised to learn that 425 postal workers  
17 were arrested nationwide for mail theft between January  
18 of 2017 and December of 2018? Would that surprise you or  
19 sound incorrect?

20 A. It wouldn't surprise me.

21 Q. The defendant's sister I believe was fired from USPS  
22 during this same time period?

23 A. Well, technically she wasn't fired because she still  
24 works for the Postal Service.

25 Q. Was she somehow reprimanded or suspended?

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1 A. Yes, there was -- I guess there was an attempt to  
2 terminate her, but she succeeded in maintaining her job.

3 MR. NATHAN: May I have one moment, please,  
4 Your Honor.

5 THE COURT: Yes.

6 MR. NATHAN: Thanks. Thank you.

7 BY MR. NATHAN:

8 Q. Now, what does it mean that Ms. Jurisic did not prep  
9 the box mail? What does that mean?

10 A. That just means unsleeve it, so when it's being  
11 transported on a truck, it's in trays, and those trays  
12 are sleeved and strapped usually.

13 Q. Okay. Thank you. I believe that OIG received  
14 information during the course of its investigation that  
15 Ms. Jurisic would sometimes show up to work with black  
16 eyes?

17 A. I believe that was just one instance.

18 Q. Okay. And then, at some point law enforcement  
19 interviewed the postmaster for Dubuque I believe?

20 A. Yes.

21 Q. And the postmaster, their opinion was that the theft  
22 more than likely occurred at the main location, not the  
23 White Street Annex; is that right?

24 A. That's what the postmaster believed, yes.

25 Q. And they're fairly well informed, aren't they?

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1 A. I would think so. They're the postmaster.

2 MR. NATHAN: May I have one moment, please,  
3 Your Honor?

4 THE COURT: You may.

5 BY MR. NATHAN:

6 Q. Until when did the defendant work at the White  
7 Street location, if you know?

8 A. I think it was -- she was only at -- she was at  
9 White Street most of the time. She did -- once White  
10 Street closed, she went out to the carrier annex and was  
11 working out there.

12 Q. When did the White Street Annex close?

13 A. I believe it was November 2018.

14 Q. I believe you've acknowledged previously that,  
15 respecting the anonymous tip, that at least the anonymous  
16 tip could have had a vendetta against the defendant; is  
17 that correct?

18 A. Absolutely. In general, with any anonymous tip you  
19 have to weigh -- weigh it. There's always the  
20 possibility that it's somebody that is out to get the  
21 postal employee. You have to understand that I'm a  
22 former postal employee, so I always give the benefit of  
23 the doubt to the postal employee. So I always say, you  
24 know, is it somebody that's disgruntled, somebody they  
25 got into an argument with, somebody they have a domestic

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1 relationship with, that is providing false information.

2 Q. Okay. From your review of the Facebook messages  
3 between defendant and Davey Hines, in your opinion, who  
4 contacted who first and who would have initiated the  
5 discussions regarding checks, cards, et cetera?

6 A. I don't know who initiated the text messages, the  
7 Facebook Messenger messages, between Amy and Davey. I'm  
8 assuming that there was conversation had beforehand.

9 Q. Davey Hines, of course, has been indicted in the  
10 Northern District of Illinois?

11 A. Yes.

12 Q. And his conspiracy continued through December of  
13 2019? If I told you that, would that sound correct to  
14 you?

15 A. Yes, I'm assuming you got that information from --

16 Q. PACER.

17 A. Yes.

18 Q. Any information regarding how or why the defendant  
19 would have targeted Flexsteel?

20 A. Other than what was indicated in the conversation,  
21 that they had checks. Those were the ones she saw,  
22 so . . .

23 Q. Respecting the nature of the communications between  
24 the defendant and Davey Hines, I understand there was  
25 some profanity both ways, but would you agree that Davey

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1 Hines would often verbally abuse Ms. Jurisic?

2 A. I -- one thing about written messages is you don't  
3 know the tone that's used behind it, so I never knew if  
4 they were joking back and forth, which some people speak  
5 like that. I don't speak to people that way, but --

6 Q. Okay.

7 A. -- some people just do it normally and they're  
8 joking, there's no intent behind it, so I can't say.  
9 They both said some pretty mean things to one another.

10 Q. There's profanity both ways; I said that. But would  
11 you agree that some of the things that Davey Hines wrote  
12 to Ms. Jurisic could be interpreted or consistent with  
13 verbal abuse?

14 A. Yes, but, again, it's a two-way street.

15 Q. Sure. And would you agree that some of the things  
16 that Davey Hines wrote to Ms. Jurisic is also consistent  
17 with physical abuse?

18 A. That's hard to say because you don't have the act or  
19 the action of the physical abuse, so, you know, when you  
20 say you are going to beat somebody's ass --

21 Q. Right. So would you agree that numerous times  
22 through their communications, Davey Hines wrote something  
23 consistent with "I'm going to beat your ass," which, of  
24 course, to me at least, is consistent with physical  
25 abuse? I could be wrong.

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1 A. Yeah, you have to take it in context because there  
2 was some sexual innuendo going on between them.

3 Q. Okay.

4 MR. NATHAN: That's it. Thanks very much.  
5 Appreciate it.

6 THE COURT: Any redirect examination?

7 MR. MORFITT: Yes, Your Honor.

8 REDIRECT EXAMINATION

9 BY MR. MORFITT:

10 Q. Agent Wignall, when the defendant started her  
11 employment at the Post Office in Dubuque in 2016, she was  
12 part-time, correct?

13 A. Yes.

14 Q. And then it was in 2017 that she became full-time?

15 A. Yes.

16 Q. And she stayed employed with the Post Office through  
17 sometime in 2019, correct?

18 A. Yes.

19 Q. So after the White Street Annex closed near the end  
20 of 2018, you said she moved to the carrier annex?

21 A. Yes.

22 Q. And she remained employed there through -- do you  
23 know when in 2019 approximately?

24 A. No. I do know that once we interviewed her --  
25 interviewed her, we did interview her at the carrier

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1 annex, that -- at that point postal management made a  
2 determination to put her off work until they made their  
3 decision as to what they were going to do  
4 administratively.

5 Q. Do you know approximately when you interviewed her?

6 A. I'm going to guess -- no, I don't even want to guess  
7 so . . .

8 Q. Okay. Was it early in 2019 or later in 2019?

9 A. It would have to be earlier in 2019. I want to say  
10 February or March, and I could be wrong.

11 Q. Okay. And then, you said on cross, looking at  
12 Exhibit 2 -- and, again, there's 6 pages to Exhibit 2.  
13 We focused primarily on pages 1, 5, and 6. And pages 1,  
14 5, and 6 were the three images that went along with the  
15 text string that's in Exhibit 3, correct?

16 A. Correct.

17 Q. Okay. Page 2 -- and I'll show you page 2 right now  
18 of Exhibit 2. That was found in a different text message  
19 from the defendant to Davey Hines, correct?

20 A. Correct.

21 Q. And that's dated all the way to December 4th of  
22 2018, correct?

23 A. Correct.

24 Q. And page 3 of Exhibit 2, that was also found in a  
25 different text message from defendant to Davey Hines,

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1 correct?

2 A. Correct.

3 Q. And there's -- the check you can see up front there,  
4 that's dated December 10, 2018?

5 A. Yes.

6 Q. Does that appear to potentially be another check  
7 behind it as well?

8 A. Yes.

9 Q. And then finally page 4, a check dated December 5th  
10 of 2018, was also found -- this picture was found in a  
11 text message from the defendant to Davey Hines?

12 A. Yes.

13 Q. Or Facebook Messenger or whatever form of  
14 communication they were using?

15 A. Yes.

16 Q. Now, in all of pages 2, 3, and 4 you can't see who  
17 the checks are made payable to you, can you?

18 A. No.

19 Q. So these checks are not included anywhere in your  
20 spreadsheet that's in Exhibit 1?

21 A. Correct.

22 Q. And I want to take one more quick look at Exhibit 1.  
23 So the red names are the names of the people who endorsed  
24 these checks, correct?

25 A. Yes, those would be the names on the backs of the

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1 checks.

2 Q. And then, you have mostly in bold but sometimes not  
3 bolded the name of the bank, where the checks were  
4 attempted to be deposited or were deposited at, correct?

5 A. Correct.

6 Q. Now, were you able to identify the branch locations  
7 of these banks that these checks were deposited at?

8 A. Yes, usually that came with the information from the  
9 banks. They would say where the branch was. Most of  
10 this was done in the Chicago area.

11 Q. That was going to be my next question. Would the  
12 vast majority of these checks that are contained -- the  
13 Flexsteel checks in Exhibit 1 were attempted to be  
14 deposited at banks in the Chicagoland area, correct?

15 A. Yes, and the bank that sticks out to me is Bank of  
16 America. That's the one that I remember. It was the  
17 Chicago area, but specifically with the other banks I  
18 cannot say for sure.

19 Q. And you testified on cross-examination that the  
20 defendant was connected to other individuals involved in  
21 check cashing besides Davey Hines?

22 A. Yes.

23 Q. Who -- what in particular connections are you  
24 talking about there?

25 A. So I don't know that Davey Hines was connected to

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1 other people, but you have to understand that once we  
2 were notified or we made connections to the banks -- so  
3 Bank of America, TCF Bank, Wells Fargo -- they would have  
4 a fraudulent account, so they would show us checks from  
5 those accounts, and some of those checks would be  
6 connected to other cases that agents in the Chicago area  
7 were working. So I was concerned about the Flexsteel  
8 checks because those are Dubuque checks, but there would  
9 be checks deposited that were stolen in the Chicago area  
10 and then deposited in the same account. So I don't know  
11 if those accounts were associated to Davey Hines, but I  
12 do know that the subject that they were looking at -- I  
13 don't know if he has a connection with Davey Hines.

14 Q. Okay. So basically there were other fraudulent  
15 checks being deposited in the same accounts that these  
16 Flexsteel checks have been deposited to?

17 A. Yes.

18 Q. I just want to clarify something on the Truck  
19 Country check that the defendant pled guilty to stealing.  
20 I think you inadvertently testified that she had  
21 communicated with Davey Hines about that check, but it  
22 was actually another individual named Darrell Vance that  
23 she communicated with, correct?

24 A. Yes, you're correct.

25 Q. And that was back in June of 2017, that she

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1 contacted Darrell Vance and sent him a picture of the  
2 Truck Country check?

3 A. Yes, correct.

4 Q. And I want to talk to you a little bit about  
5 First-Class Mail. You indicated that checks of this  
6 nature or all of the checks in this case as they're going  
7 through Dubuque would have been in First-Class Mail?

8 A. Yes.

9 Q. Now, First-Class Mail, is that separate from  
10 something that's called bulk mail?

11 A. Yes, bulk mail is referred to as Third-Class Mail,  
12 so it's -- it's not as stringent. For example, incoming  
13 mail and outgoing mail, so collection mail, and then the  
14 incoming mail that's coming in the morning, because  
15 Dubuque is a hub, the First-Class Mail is going to go  
16 out. It's going to go out of White Street that morning  
17 and be distributed to the offices that it belongs to, so  
18 overnight there should be no First-Class Mail at the  
19 White Street Annex.

20 Q. So, in other words, if First-Class Mail comes into  
21 the White Street Annex on a day, it is, generally  
22 speaking, going to go back out to wherever its ultimate  
23 destination is that same day?

24 A. Correct.

25 Q. Whereas bulk mail, things like magazines or mailers,

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1 advertisements, that sort of thing, junk mail --

2 A. Yes.

3 Q. -- some might call it, would sometimes stay  
4 overnight in the annex?

5 A. Yes.

6 Q. And I think at one point you were being asked about  
7 mail theft across the country and you said you know more  
8 about mail theft in Iowa. I don't know if that was ever  
9 followed up on. So how common in your experience over  
10 the last 15 years is mail theft by postal employees in  
11 the offices you've served, if you will, over that time  
12 frame?

13 A. Well, in general terms I can tell you that we  
14 investigate multiple things besides mail theft. We have  
15 only a few agents. In fact, there's only two agents, OIG  
16 agents, in the state of Iowa. We cover the whole state,  
17 so we look at other things other than mail theft. But  
18 mail theft specifically, for myself, I'm going to  
19 estimate it's going to be between six and eight cases  
20 that actually turn into investigations. Now, whether or  
21 not those are resolved investigations, they may not be  
22 resolved, but those are very few. Usually there's a  
23 resolution. So that's just me, so if you times that by  
24 two because there's two agents who would work mail theft,  
25 you might have up to 16 mail theft full-blown

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1 investigations a year.

2 Q. And prior to this investigation, have you ever had a  
3 mail theft investigation out of the White Street Annex in  
4 Dubuque?

5 A. You know, Dubuque has been my territory for a long  
6 time, and I have received allegations of theft out of  
7 Dubuque, but I can only think of maybe two cases that  
8 have been Dubuque mail theft cases.

9 Q. Are you -- do you more commonly get case from  
10 Des Moines and Cedar Rapids?

11 A. Yes.

12 MR. MORFITT: Nothing further, Your Honor.

13 THE COURT: Any further recross-examination?

14 MR. NATHAN: May I have one moment, please,  
15 Your Honor.

16 THE COURT: You may.

17 RECROSS EXAMINATION

18 BY MR. NATHAN:

19 Q. Am I correct that First-Class Mail would come in on  
20 every truck -- or it could come in on every truck; is  
21 that right?

22 A. It could. I don't know exactly what's on all the  
23 trucks. Sometimes there could be a truck with just  
24 equipment on it.

25 Q. And then the First-Class Mail after it comes into

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1 the White Street Annex, for example, if the person  
2 handling that First-Class Mail, their shift ends, then  
3 that First-Class Mail would just be left inside the Post  
4 Office, right?

5 A. It would be -- I don't know what it would be in  
6 terms of First-Class Mail because if it comes in the  
7 morning off of the truck, it should be disbursed. So  
8 it's going to be cross docked, it's going to be moved to  
9 the West Side Carrier Annex for the Dubuque area, or it's  
10 going to go out to the offices.

11 Q. Right. So I heard "if" and then "should be." So if  
12 not if, then possibly not, is that what you are saying?

13 A. No, it should be. I don't know of any instances  
14 where it would not go out and where it would sit there.  
15 I don't know of any shift changes that would happen  
16 before that morning mail is distributed to where it needs  
17 to go.

18 Q. The instances or reports that you've received  
19 regarding mail theft at the Dubuque locations, of course,  
20 other than this case, have those occurred both before and  
21 after this case?

22 A. Not after.

23 MR. NATHAN: Thanks very much.

24 THE COURT: Agent, I have a few questions for  
25 you.

1                   THE WITNESS: Sure.

2                   THE COURT: First of all, I understood from  
3 your earlier testimony about the defendant's employment  
4 that there were times that she would go to the Main Post  
5 Office to perform some duties that had something to do  
6 with Post Office Boxes. Am I correct on that?

7                   THE WITNESS: Yes.

8                   THE COURT: Tell me more about what were her  
9 duties at the Main Post Office having to do with Post  
10 Office Boxes.

11                  THE WITNESS: Well, she would -- and this is  
12 according to the postmaster. She would be sent to the  
13 Main Post Office to help out, I assume when they were  
14 shorthanded, and it was explained to me that her duties  
15 would be putting up the P.O. Box mail, so she would be  
16 placing mail in P.O. Boxes.

17                  THE COURT: All right. And is that area  
18 subject to video surveillance?

19                  THE WITNESS: No video surveillance, but there  
20 is a catwalk or lookout gallery within that postal  
21 facility where we could do surveillance, physical  
22 surveillance.

23                  THE COURT: During what time period, did the  
24 defendant perform those duties?

25                  THE WITNESS: I don't have a specific time

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1 frame. Just -- I think it was just part of -- if they  
2 needed her, they sent her to the Main Post Office to help  
3 out. I don't know if it was just for a few hours or they  
4 sent her there for her entire shift.

5 THE COURT: Did you or other law enforcement  
6 officers perform any surveillance of the defendant as  
7 part of this investigation?

8 THE WITNESS: We looked to perform  
9 surveillance, but there was no set time as to when she  
10 was going to be at the Main Post Office. The postmaster  
11 couldn't give me a schedule of when she was going to be  
12 there, so it would have been hit or miss.

13 THE COURT: Am I correct that every piece of  
14 mail that you believe is tied to the defendant stealing  
15 was directed to a Post Office box?

16 THE WITNESS: Yes.

17 THE COURT: All right. Here's my hunch -- and  
18 you tell me whether I'm wrong or why it would be wrong --  
19 but my hunch from this is the focus on the White Star --  
20 or White Street location, the hub location, is misplaced.  
21 All the mail that's been stolen was directed to a Post  
22 Office Box, and the defendant's job involved her putting  
23 mail into Post Office Boxes at the Main Post Office. It  
24 occurred to me that if she was going to steal this mail,  
25 it would most likely occur on those occasions when she

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1 worked at the Main Office and was putting mail in the  
2 Post Office Boxes.

3 THE WITNESS: Yes, and that was -- you know,  
4 that was one of the things that we had to look at, where  
5 was it happening, because I wouldn't say it couldn't have  
6 happened at White Street because it could have, or it  
7 very well could have happened at Main when she was there  
8 putting up the P.O. Box mail, yes, absolutely.

9 THE COURT: And you just don't know either way?

10 THE WITNESS: Correct.

11 THE COURT: All right.

12 THE WITNESS: And I do want to go back, Judge,  
13 and say you asked if all of the mail that was stolen were  
14 checks addressed to P.O. Boxes, there were some pieces  
15 that were images of credit cards that I don't know if all  
16 of those were addressed to P.O. Boxes. They could have  
17 had a street address associated to them. But the checks,  
18 yes.

19 THE COURT: You were asked a question on  
20 cross-examination and your answer was -- "Do you believe  
21 defendant was connected with others in the Chicago area  
22 cashing stolen checks," and then I think Mr. Morfitt  
23 attempted to follow-up on that, but I'm not quite sure  
24 that he answered the question -- or you answered the  
25 question that he asked or that I have in my head, which

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1       is how do you know the defendant was connected to others  
2       in the Chicago area cashing checks, other than Hines?

3           THE WITNESS: Amy had lots of friends in the  
4       Chicago area, and she was connected with some people that  
5       were part of the check-cashing ring that is being  
6       investigated by Chicago agents and postal inspectors  
7       there, so I know that she has a connection to them.

8           THE COURT: And how do you know she has  
9       connection to these other people involved in that ring?

10          THE WITNESS: Because there are messages  
11       between her and those individuals.

12          THE COURT: And "messages." Text messages,  
13       Facebook?

14          THE WITNESS: Yes. Not text messages because I  
15       didn't have Amy's phone, so the only text messages we  
16       would have access to are the conversations between her  
17       and Davey Hines.

18          THE COURT: On this anonymous caller, you were  
19       asked the question that the caller didn't say which  
20       checks were stolen or the number of checks that were  
21       stolen, but were there any other details from the  
22       anonymous caller, like how she was stealing them, where  
23       she was stealing them, anything like that?

24          THE WITNESS: No. She -- she was identified as  
25       a postal employee working at the Dubuque Post Office, she

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1 was identified by name, and that she was stealing checks  
2 from the mail and selling them in Chicago.

3 THE COURT: Was the caller male or female?

4 THE WITNESS: The voice to me sounds like it  
5 was a female, like an older lady, but I believe there was  
6 a male name associated to who called it in.

7 THE COURT: All right. Mr. Morfitt, questions  
8 in light of my questions?

9 MR. MORFITT: No, Your Honor.

10 THE COURT: Mr. Nathan?

11 MR. NATHAN: I do have a few questions.

12 FURTHER RECROSS EXAMINATION

13 BY MR. NATHAN:

14 Q. Just to back up for a second, during direct, you had  
15 initially testified that the defendant worked alone on  
16 Sundays with Express Mail, correct?

17 A. It's my understanding that when she worked on  
18 Sundays, that that was the intent of her working those  
19 days. I don't know what else she would do at that  
20 facility on a Sunday.

21 Q. And no indication that Express Mail was stolen,  
22 correct?

23 A. Correct.

24 Q. The Judge asked you about conversations between  
25 yourself and the postmaster about Ms. Jurisic working at

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1 the Dubuque Main location. Now, that conversation with  
2 the Dubuque postmaster occurred in January of 2018,  
3 right?

4 A. I believe so, yes.

5 Q. And then, of course, the Flexsteel checks were all  
6 stolen I believe between April of 2018 and later in 2018,  
7 right?

8 A. Yes.

9 Q. Okay. So what dates, if any, do you know that  
10 Ms. Jurisic would have worked at Dubuque Main after  
11 January of 2018?

12 A. I don't have a listing of the dates that she worked  
13 there, so I couldn't -- I couldn't speak to that.

14 MR. NATHAN: Okay. Thanks very much.

15 THE COURT: All right. Thank you, Agent. You  
16 may step down. You are excused.

17 Mr. Morfitt, you may call your next witness.

18 MR. MORFITT: United States calls Tina Nobis.

19 TINA NOBIS,

20 called as a witness, being first duly sworn or affirmed,  
21 was examined and testified as follows:

22 THE COURT: Thank you. Please have a seat.

23 And when you are comfortable, please state your name.

24 THE WITNESS: My name is Tina Nobis. N-O-B, as  
25 in boy, I-S, as in Sam.

1                   THE COURT: Thank you.

2                   You may proceed, Mr. Morfitt.

3                   DIRECT EXAMINATION

4                   BY MR. MORFITTT:

5 Q.       How are you currently employed?

6 A.       I'm currently employed as a US postal inspector for  
7 the past 19 years.

8 Q.       And are you stationed here in Cedar Rapids?

9 A.       Yes, Cedar Rapids is one of my locations.

10 Q.       And do you also handle incidents out of Dubuque?

11 A.       Yes.

12 Q.       And how long have you been here in Cedar Rapids and  
13 also handling Dubuque?

14 A.       I've been in Cedar Rapids since 2007.

15 Q.       And did you become involved to an extent in the  
16 investigation involving the defendant in this case,  
17 because there were portions of it at various times that  
18 were looking into whether there was an external source of  
19 the mail being stolen?

20 A.       Yes.

21 Q.       And over the course of your career here, have you  
22 become familiar with the Dubuque Post Office and how it  
23 was set up?

24 A.       Yes.

25 Q.       Particularly, as it relates to the timeframe we're

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1 looking at here in 2017 and 2018?

2 A. Yes.

3 Q. Now, when it comes to handling security for the Post  
4 Office, the Postal Service, is that done by postal  
5 inspectors, such as yourself, or the Office of Inspector  
6 General?

7 A. Security for the US Postal Service is overseen by  
8 the US Postal Inspection Service; and specifically within  
9 our agency, we have a security specialist by the name of  
10 Joanne Dean that sits in Kansas City but covers Iowa as  
11 well for security issues.

12 Q. And if there were breaches in security at a postal  
13 facility, such as the White Street Annex in Dubuque when  
14 it existed, are those security breaches or deficiencies  
15 supposed to be reported to the postal -- to postal  
16 inspectors?

17 A. Yes, they should have been reported immediately to  
18 myself or to my co-worker.

19 Q. And you've heard some -- or seen some exhibits here  
20 today. Were there any such deficiencies noted in Dubuque  
21 in the 2017 and 2018 time frame as are indicated in some  
22 of the defense exhibits?

23 A. Not one was reported to myself or my co-worker.

24 Q. And are you familiar with the process behind like  
25 administrative hearings, if you will, regarding whether

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1 or not somebody is stealing mail or potentially going to  
2 be fired from their job for some sort of lapse in their  
3 work?

4 A. Yes, I am.

5 Q. And in your experience, is it common for employees  
6 to try and deflect blame from either themselves or other  
7 employees by citing outside things that could cause  
8 whatever the problem was?

9 A. Yes, it's quite common.

10 MR. MORFITT: Nothing further, Your Honor.

11 THE COURT: Cross-examination.

12 CROSS-EXAMINATION

13 BY MR. NATHAN:

14 Q. I believe I heard during the agent's testimony that  
15 the East Side Annex, White Street location is no longer  
16 in operation?

17 A. Yes, that's correct.

18 Q. The work that was being performed there, has it  
19 moved to Main or did it move to the West Side Annex?

20 A. It's likely -- the US Postal Service is under a  
21 nationwide reorganization, therefore, trying to eliminate  
22 unnecessary facilities being opened or paying money for  
23 leases on things that they could consolidate, and it's my  
24 understanding that all of the mail for Dubuque is being  
25 processed out of the Cedar Rapids PNDC, Processing and

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1 Distribution facility, right now.

2 Q. So it sounds like then the Dubuque East Side White  
3 Street location was determined to be superfluous, right?

4 A. Correct. I'm not exactly sure why it was closed,  
5 but that would be my assumption.

6 Q. Do you have any particular information about why the  
7 White Street location was closed?

8 A. I don't know, other than there was a committee that  
9 was put together to look at all these different  
10 facilities and decide which ones could be eliminated to  
11 try to make mail processing more efficient.

12 Q. As part of the examination into efficiency, I  
13 believe it's probably a fair assumption that one of the  
14 factors that go into efficiency is the possibility of  
15 mail theft, right, as mail theft would make mail delivery  
16 processing more inefficient, right?

17 A. I'm not quite sure I understand what you are saying  
18 or your question.

19 Q. Yeah. So when the Post Office confers and they  
20 determine to close a particular location, that's based on  
21 what you've already said. And what I am asking is, when  
22 that decision is made, they look at a number of factors,  
23 right?

24 A. I would assume so.

25 Q. One of the factors that makes sense to me at least

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1 would be whether that location is vulnerable to mail  
2 theft, right?

3 A. I can't -- I don't -- I can't answer that.

4 Q. But it could be, right?

5 A. I don't know.

6 Q. Sure. As you said, and I already asked you, you  
7 said that you don't have any particular information as to  
8 why this particular location was closed. So for all you  
9 know, it could have been closed because of security  
10 issues, right?

11 A. I don't know that because none were ever reported to  
12 me, nor have I had any other reports of mail theft out of  
13 that location prior to Ms. Jurisic.

14 MR. NATHAN: Thanks very much.

15 THE COURT: Any further redirect examination?

16 MR. MORFITT: No, Your Honor.

17 THE COURT: Thank you, Agent. You may step  
18 down.

19 THE WITNESS: Thank you.

20 THE COURT: Any other witnesses you wish to  
21 call, Mr. Morfitt?

22 MR. MORFITT: No, Your Honor.

23 THE COURT: Mr. Nathan, any witnesses you wish  
24 to call?

25 MR. NATHAN: Just a proffer to close the loop

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1       in our exhibits, that those exhibits were, in fact,  
2 admitted at Ms. Jurisic's administrative hearing with the  
3 Post Office.

4                   THE COURT: Any objection to the Court  
5 receiving that proffer, Mr. Morfitt?

6                   MR. MORFITT: No, Your Honor.

7                   THE COURT: The Court will do so. Anything  
8 else, Mr. Nathan?

9                   MR. NATHAN: No, Your Honor. Thank you.

10                  THE COURT: All right. Thank you.

11                  All right. That completes the evidence on these  
12 issues then. I will now hear argument regarding the loss  
13 amount. And once we establish that, then I'll rule on  
14 the disputed issues in the presentence investigation  
15 report and then we'll move to disposition. Hang on just  
16 a second.

17                  All right. So let's go ahead and hear argument.

18                  MR. MORFITT: Your Honor, the government  
19 doesn't have much in the way of argument on the factual  
20 issue. The Court has heard all of the evidence.  
21 Depending on how the Court rules, I do have alternative  
22 numbers that I can provide to the Court depending on  
23 which checks ultimately the Court believes were stolen.  
24 I would say that I think the Flexsteel checks contained  
25 on the bottom of page 1, all of page 2, and the top two

1       lines of page 3 are certainly proven by a preponderance  
2       of the evidence. We have the defendant taking pictures  
3       of and sending similar checks, including three checks  
4       that are actually on this spreadsheet, to Davey Hines in  
5       Chicago, part of a check-cashing ring. These names  
6       are -- or these checks are connected, via the names of  
7       the people who endorsed them, to the other checks in the  
8       spreadsheet, as well as the checks to the three other  
9       companies in Dubuque, connected by those same names.

10       There could be lots of thrown-out explanations for  
11       why checks go missing, but here, the evidence has proven  
12       by a preponderance -- by a preponderance that the most  
13       likely explanation is that this defendant was stealing  
14       checks. She got castigated by her source or her -- who  
15       she was supplying, I guess, in Chicago for taking checks  
16       from the same company. She says, "Well, that's what I  
17       can get." That's why so many of these checks are  
18       Flexsteel checks. Whether she's accessing them at White  
19       Street or when she's working behind the P.O. Boxes,  
20       ultimately, these are the checks she has access to.

21       And I would note that if the Court finds all these  
22       Flexsteel checks are appropriately scored as loss, the  
23       actual -- the other checks don't necessarily really  
24       matter in terms of which category the loss amount is,  
25       because the Flexsteel checks and the other Dubuque

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1 checks, not including the ones from Rock Falls, Illinois,  
2 are a total of 651,000 and some change as shown on page 3  
3 of Exhibit 1, which is more than the \$550,000 category  
4 that we're currently in that's scored in the PSR.

5 Looking at the checks in Exhibit 2, I can go through  
6 more detailed math if the Court would like, but totaling  
7 up all the checks reflected in Exhibit 2 that she sent  
8 pictures to Davey Hines, it's 55,000 and some change, so  
9 I think that sets the floor for the Court because even if  
10 those checks aren't on the spreadsheet and the Court  
11 doesn't credit the spreadsheet necessarily or Flexsteel's  
12 information, those checks are ones she clearly stole and  
13 sent to Mr. Hines and indicated she would bring them to  
14 him. So that's 55,000, which I think under 2B1.1 sets a  
15 floor at least of a 6-level enhancement, rather than the  
16 14-level enhancement. But, again, the government does  
17 believe it's properly scored as a 14-level enhancement.

18 THE COURT: All right. Thank you, Mr. Morfitt.

19 Mr. Nathan.

20 MR. NATHAN: Thank you, Your Honor. The  
21 defense would concede that the floor is the amount that  
22 the government mentioned just now, as well as from the  
23 exhibits in the government's briefing. Respecting the  
24 remaining checks, starting with Nord Gear, the defense  
25 would object to any loss amount based on the Nord Gear

1 checks, and the same with the Tama USA check and the  
2 Kendall Hunt Publishing check. I believe there were two  
3 actually to Tama USA.

4 The defense heard Inspector Nobis's testimony  
5 regarding how there was no reports of security issues to  
6 the security specialist from the East Side Annex. I  
7 don't know quite what to make of that because the  
8 security issues seemed obvious enough that numerous  
9 witnesses authored statements respecting those security  
10 issues. The issues also just seem fairly patent from  
11 Exhibit E, where there's no fence, no gate, no cameras,  
12 people are loitering, anyone can park there, sometimes  
13 doors are open even; and even if the doors are  
14 technically closed, they're still unlocked and the space  
15 is shared by at least one other company and/or  
16 organization. The fact is, is that the East Side Annex  
17 location was accessible to not only USPS employees but  
18 contractors, including these star route drivers, who also  
19 had access to the interior of the space. The agent  
20 acknowledged that, in addition to a common denominator of  
21 Ms. Jurisic, every other employee, contractor, et cetera,  
22 people who would be just moonlighting there also had  
23 access to the Flexsteel checks.

24 There's also just a complete lack of direct evidence  
25 between the defendant and the remaining Flexsteel checks

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1 that are not photographed in the government's exhibits.  
2 There's no eyewitness to say that they saw her stealing  
3 any checks. There's no admission from the defendant.  
4 The anonymous tip says, yes, the defendant is stealing  
5 something. We don't know how many checks, how, why,  
6 where, anything else, so there's really nothing to base,  
7 at least by a preponderance of the evidence, between the  
8 defendant and the remaining nonpictured checks from  
9 Flexsteel.

10 There could be circumstantial evidence, but there's  
11 not. There's no search warrant at the defendant's  
12 residence. There's no recovery of empty envelopes in her  
13 possession. The Flexsteel checks that were found in Rock  
14 Falls, there's even issues there as the checks apparently  
15 weren't found in the possession of anyone in particular;  
16 and to the extent they were, they weren't found in the  
17 possession of either of the Blandins, who appear to have  
18 a connection to the defendant. Regardless, there's  
19 nothing in the Facebook messages between the defendant  
20 and the Blandins talking about stealing checks. And the  
21 agent acknowledged that those checks could have gone  
22 through Illinois before they even reached Dubuque,  
23 assuming that they ever actually reached Dubuque.

24 There's also no corroboration in the form of the  
25 defendant endorsing a check in her own name or some sort

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1 of exemplar analysis between the endorsement signatures  
2 and the defendant's handwriting. She doesn't appear in  
3 any of the video recordings of the persons depositing  
4 those checks. And, of course, none of those persons who  
5 deposited the checks -- I understand why not, but the  
6 fact is that none of those persons were interviewed and  
7 had any connection to the defendant based on any  
8 interviews, which, of course, did not take place.

9 There's also issues as to where exactly the thefts  
10 would have taken place. I heard the Court's questioning,  
11 but the postmaster was interviewed in January of 2018.  
12 The Flexsteel checks were stolen after that, and there's  
13 no sufficient evidence saying when Ms. Jurisic would have  
14 worked at Dubuque Main, if at all, after January of 2018.  
15 There's also no information regarding how or why the  
16 defendant would have targeted Flexsteel, whether it was  
17 at the behest of Davey Hines or not.

18 Ultimately, it's clear that, in general, USPS  
19 employees across the nation steal. And I get that 12 to  
20 16 is a much lower rate than the numbers I was talking  
21 about nationwide, but even 12 to 16 statewide is still  
22 enough to, I believe, undermine any confidence by a  
23 preponderance of the evidence that the defendant has a  
24 connection to the remaining nonpictured Flexsteel checks.  
25 Thank you.

1                   THE COURT: Thank you. It is the government's  
2 burden, as I noted earlier, to prove loss amount by a  
3 preponderance of the evidence. Here, I find the  
4 government has established the loss amount of more than  
5 \$550,000 by a preponderance of the evidence. I  
6 understand that it is possible that some of these other  
7 Flexsteel checks were stolen by somebody else other than  
8 the defendant. I find it unlikely. The question is not  
9 whether it's possible. The question is whether it's  
10 probable. Given that she stole many Flexsteel checks as  
11 shown in her communication with Hines and in the  
12 photographs that she sent him, I have to say what's the  
13 odds, what's the likelihood, that at about the same time  
14 that she's committing this theft, it just happens that  
15 somebody else is also stealing checks from Flexsteel and  
16 fraudulently attempting to cash them. And I just find  
17 that to be so unlikely that it's not at all probable.

18                  I also note that although in the photographs in  
19 Exhibit 2 there are eleven checks, those numbers, whose  
20 amounts have been calculated as part of the loss here, if  
21 you look at the photographs of them, there are another  
22 seven checks that are shown in the background of these.  
23 So, for example, if you look at page 1, Exhibit 2, three  
24 checks are made out to Flexsteel, and you can see the  
25 amounts of those checks; but if you look in the upper

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1 right-hand corner, it's visible to me that there are  
2 three additional checks that are barely shown on the  
3 corners. And so I went through each of these pages and I  
4 was able to count seven more checks that are reflected in  
5 the background that are not counted here, all of which  
6 appear to be Flexsteel checks. Because of the nature of  
7 the communication between them, I checked the account  
8 numbers -- or check numbers against the -- what can be  
9 shown, and it doesn't look like there's any overlap. And  
10 so while these reflect eleven checks that have been  
11 counted in the loss amount, there's another seven checks  
12 that are visible here, all of which increases the  
13 likelihood, again, that the defendant is responsible for  
14 all the Flexsteel checks accounted for here in Exhibit 1  
15 and then the loss amount. And so I do find the defendant  
16 responsible by a preponderance of the evidence for all  
17 the Flexsteel Industry checks. The intended loss amount  
18 is \$649,767.27. That's greater than the \$550,000 floor  
19 necessary for a level 14-enhancement for loss amount, so  
20 I do find that the guidelines have been properly  
21 calculated. Defendant's total offense level is 19, the  
22 criminal history category is II, and the advisory  
23 guideline range of imprisonment is 33 to 41 months.  
24 As far as the other losses, I think it -- there's a  
25 pretty good chance, and my gut tells me that it's true,

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1 the defendant stole these other checks, but I don't find  
2 the evidence sufficient by a preponderance of the  
3 evidence to hold her accountable for either the intended  
4 or actual losses tied to Kendall Hunt Publishing, Tama  
5 USA, Incorporated, Nord Gear Corporation, and so she will  
6 not be held accountable for that. Obviously, she pled  
7 guilty to the Truck Country check of \$2,280, so that will  
8 also be counted as part of the intended loss amount as  
9 well.

10 What I don't have now is the actual loss amount for  
11 purposes of restitution that should be determined given  
12 my ruling here. And, Mr. Morfitt, you indicated you had  
13 some alternative calculations. I hope you have that  
14 alternative calculation.

15 MR. MORFITT: I can very quickly, Your Honor.  
16 There's only two checks that actually factor into the  
17 actual loss that the Court did not find defendant  
18 responsible for, and those were one to Kendall Hunt  
19 Publishing and one to Tama USA, and both of those were  
20 Bank of America losses, so we should just be able to  
21 deduct those two checks from the amount calculated due to  
22 Bank of America in paragraph 18 of the presentence  
23 report, and then the rest of that chart should be  
24 accurate.

25 THE COURT: All right. So let's do that

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1 calculation here and make sure we're on the same page.  
2 So give me the -- we've got a total loss amount right now  
3 of 61,463.03 from Bank of America, minus which checks in  
4 what amount?

5 MR. MORFITT: Your Honor, they are the two  
6 checks reflected on page 3 in the Dubuque Checks Other  
7 Than Flexsteel portion.

8 THE COURT: Page 3 of Exhibit 1?

9 MR. MORFITT: Yes, Your Honor, excuse me. And  
10 they're in the amounts -- the loss amounts of \$2,268.60  
11 and \$12,265.05. And subtracting those from the amount in  
12 the chart due Bank of America, the government calculates  
13 46,929.38, is the proper amount of restitution towards  
14 Bank of America.

15 THE COURT: Redo that calculation again. I  
16 came up with a slightly different figure of 46,929.48. I  
17 could very well be wrong.

18 MR. MORFITT: I think, Your Honor, the only  
19 difference was in the cents in our calculations. Is that  
20 correct?

21 THE COURT: Correct.

22 MR. MORFITT: I still came up with 38 cents.

23 THE COURT: Mr. Nathan?

24 MR. NATHAN: I have 38 cents too.

25 THE COURT: I do too on the second go-around.

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1 So -- all right. So the for purposes of restitution,  
2 then, Bank of America will be 46,929.38. And then the  
3 10,000 plus change to US Bank, is that also from a  
4 Flexsteel check?

5 MR. MORFITT: Yes, Your Honor, multiple checks.

6 THE COURT: All right. And to Fidelity Bank,  
7 was that also losses tied to Flexsteel?

8 MR. MORFITT: Yes, Your Honor.

9 THE COURT: And the same with Chase?

10 MR. MORFITT: Yes, Your Honor.

11 THE COURT: And the same with TCF?

12 MR. MORFITT: Yes, Your Honor.

13 THE COURT: And so the total restitution  
14 amount, Mr. Morfitt, what did you come up with?

15 MR. MORFITT: One second, Your Honor.

16 Your Honor, I calculate \$62,456.33:

17 THE COURT: Mr. Nathan?

18 MR. NATHAN: Did I hear 62,456.33?

19 THE COURT: Yes.

20 MR. NATHAN: Yeah, that looks approximately  
21 correct.

22 THE COURT: All right. I understand that the  
23 defendant's objecting to my finding here, but given my  
24 finding, you're agreeing that that's a correct  
25 calculation of the restitution given my ruling?

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1                   MR. NATHAN: Yes, Your Honor.

2                   THE COURT: All right. Thank you. Then  
3 regarding paragraph 10, as far as identifying the victims  
4 here, I've identified the victims here as Flexsteel  
5 Industries, I do not find Kendall Hunt Publishing, I do  
6 not find Tama USA, Incorporated, I do not find Nord Gear  
7 Corporation, I do find Truck Country, Bank of America,  
8 US Bank, Fidelity Bank, Chase, and TCF Bank as victims  
9 here. And again, given my ruling, do you agree that  
10 that's correct, Mr. Morfitt?

11                  MR. MORFITT: Yes, Your Honor.

12                  THE COURT: And Mr. Nathan?

13                  MR. NATHAN: Yes, Your Honor.

14                  THE COURT: All right. All right. I believe  
15 that handles all of the contested sentencing issues then.  
16 At this point, then, we're down to the disposition on the  
17 case. Let's go ahead and finish up then. I'll hear  
18 first from the government on the sentence the government  
19 believes is appropriate, and then I'll hear from  
20 Mr. Nathan, and then I'll hear from Ms. Jurisic if she  
21 wishes to say anything to me, and then I will impose  
22 sentence.

23                  So, Mr. Morfitt, I'm happy to hear from you now.

24                  MR. MORFITT: Briefly, Your Honor. The Court  
25 has heard all the evidence obviously and is familiar with

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1 the presentence report. The government recommends a  
2 sentence at the bottom of the guideline range of  
3 33 months as calculated by the Court. This is a  
4 significant sentence, nearly 3 years in prison, for  
5 stealing a large number of checks, to take advantage of  
6 her access to those checks for personal benefit.

7 It's unclear exactly what she was getting for  
8 stealing these checks and giving them to Mr. Hines, but  
9 she certainly wasn't doing it out of the kindness of her  
10 heart for Mr. Hines. Most likely there was some sort of  
11 financial benefit to herself that was coming, and so it  
12 was motivated by selfish desires, to get money or to  
13 please an individual.

14 As the Court noted, she does have some criminal  
15 history, only a category II, and that's properly taken  
16 into account in the scoring of the advisory guideline  
17 range.

18 Looking at her history and characteristics  
19 otherwise, this is a defendant who had a good job at the  
20 Post Office. She had the ability to make a good living  
21 in Dubuque, Iowa, making between 30 and \$40,000 a year --  
22 or making \$40,000 a year the two years she was fully  
23 employed at the Post Office and making 30-some thousand  
24 dollars a couple years before that. So there doesn't  
25 seem to be any reason that she needs to supplement her

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1 income by stealing checks and sending them to a  
2 check-cashing ring, so there's certainly no excuse in her  
3 finances for why she did this. Based upon the facts and  
4 circumstances and all her history and characteristics,  
5 the government believes a guidelines sentence is  
6 appropriate and recommends a sentence at the bottom of  
7 the range.

8 THE COURT: All right. Thank you.

9 Mr. Nathan.

10 MR. NATHAN: Thank you, Your Honor. Based on  
11 the loss amount, the defense concurs with the government  
12 that a bottom of the range sentence is certainly  
13 sufficient but not greater than necessary to achieve the  
14 factors in 3553(a). Prior to this incident,  
15 Ms. Jurisic's criminal history was minor and limited.  
16 After the offense conduct, there was one fairly moderate  
17 incident that appears to be the outlier other than this  
18 case in terms of the severity of criminal behavior and  
19 her background.

20 She's never actually been to jail, and every  
21 sentence that she received to jail has been suspended, so  
22 a nearly 3-year sentence here would represent a  
23 significant increase to what she's previously received in  
24 state court. For that reason, even a short jail sentence  
25 would deter her, but certainly 33 months is sufficient.

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1           She did get pregnant at a very young age. She was  
2 15 years old. The PSR reflects how she struggled as a  
3 primary caregiver through her youth, which is not a  
4 critique. She was so young that struggles are  
5 inevitable. To her credit, she did eventually earn her  
6 high school diploma, and she even attended community  
7 college.

8           The government's correct that she did have a good  
9 job with the USPS. 2017, 2018, she was making nearly  
10 \$50,000 a year. And as -- I think I asked the agent  
11 toward the end of the cross-examination, you know,  
12 exactly who reached out to who, it's unclear. Davey  
13 Hines seems to be slightly higher up the fraud ladder  
14 than Ms. Jurisic. It's also unclear why Flexsteel was  
15 targeted. So there's certainly an argument that this was  
16 done, as the agent sort of indicated, for some sort of  
17 thrill. I will state that there is evidence, of course,  
18 that she returned from Chicago to Dubuque with black  
19 eyes, and the communications between the defendant and  
20 Davey Hines, of course, are consistent with verbal abuse  
21 and physical abuse, so it really is unclear what she got  
22 out of it except the thrill I suppose, but that still  
23 suggests that a sentence of 33 months is sufficient but  
24 not greater than necessary. Thank you.

25           THE COURT: Thank you.

1           Ms. Jurisic, this is the time in the hearing when  
2 you have an opportunity to speak to me directly to tell  
3 me anything you would like me to take into account in  
4 determining your sentence. You don't have to say  
5 anything. And if you choose not to say anything, I will  
6 not hold that against you in any way. But if there is  
7 anything you would like to say, now is the time to do so.  
8 Is there anything you would like to say?

9           THE DEFENDANT: No, Your Honor.

10          THE COURT: All right. All right. In arriving  
11 at a sentence that is sufficient but not greater than  
12 necessary to achieve the goals of sentencing, I have  
13 considered the factors at Title 18 United States Code  
14 Section 3553(a) even if I do not mention each of them in  
15 my comments here.

16          We've talked at length about the offense conduct. I  
17 don't think it bears getting a whole lot more into it.  
18 As far as Mr. Hines's role in it, I have very little  
19 evidence to work with here, other than I reject the idea  
20 that he somehow is behind the targeting of Flexsteel.  
21 It's clear from their communication that he was asking  
22 why she stole checks from the same place, and she  
23 explained that that's the only one she had access to or  
24 that's who she had access to. So that certainly suggests  
25 that it wasn't Hines who was behind targeting Flexsteel.

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1 It looks more like a crime of opportunity by her on what  
2 she could steal and -- now, whether he pressured her to  
3 steal in the first place, whether he threatened, what he  
4 got out of it versus her, I just don't know, and there's  
5 no evidence in front of me. I have to assume here -- and  
6 I think there's inference to do so -- that she did this  
7 out of greed to some degree. Whether she was getting  
8 some or all of the money or whether she was doing it  
9 because she was getting something from Mr. Hines, she did  
10 it for her own gain, and so, at base, involved in this is  
11 the base motivation of greed.

12 The defendant has a limited criminal history.  
13 Noteworthy is it is violent. She's got a conviction for  
14 disorderly conduct, fighting; disorderly conduct,  
15 fighting again. The first was in 2002 at the age of 18.  
16 Even though she's almost double the age, again, in 2016,  
17 she gets convicted of the same crime. And then in 2019  
18 after the offense conduct here, she's convicted of  
19 assault causing injury. And so I'm not sure --  
20 Ms. Jurisic, violence by women is rare. And whatever the  
21 issues are that you've got that's dealing with violence,  
22 you better get on top of it because if you come out on  
23 supervised release with this court and you engage in more  
24 violence while you are under this court's supervision,  
25 it's very likely you are going to find yourself back in

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1 prison. The defendant grew up in a family where her  
2 parents were divorced. She was pregnant at a young age  
3 and gave birth at a young age and struggled, as one would  
4 naturally expect as a teenage mother, a single mother.  
5 It was noteworthy to me as well, that Mr. Nathan noted  
6 she did nevertheless complete school and attended some  
7 college.

8 She's in good health both physically and mentally.  
9 Her substance abuse is limited to alcohol underage and  
10 marijuana, and then some methamphetamine and other  
11 controlled substances. She's not received any treatment.  
12 I am going to recommend drug treatment while she's in  
13 prison.

14 Again, Ms. Jurisic, when you come out on supervised  
15 release, we will be monitoring your drug use. And if you  
16 use illegal drugs while under supervision of the court,  
17 obviously, that will -- or it could result in you going  
18 back to prison.

19 I will note that the defendant has been on pretrial  
20 release since her arrest in this case and -- which was in  
21 January of 2021, and we have no reported violations from  
22 her. And so I'm reassured to some degree that whatever  
23 addiction issues or substance abuse issues she has,  
24 they're not serious and she will be able to keep them  
25 under control.

1           Defendant got a good paying job with the Postal  
2 Service, and it's the best paying job she ever had in her  
3 history, and her response is to steal from that employer.  
4 It's too bad, Ms. Jurisic, you had an opportunity to live  
5 a law-abiding life with a decent income, and your choice  
6 to abuse your position of trust, to steal from your  
7 employer, who also happens to be the government, was a  
8 really poor choice. And I'm hoping when you come back  
9 out on supervised release, that going to prison for a  
10 number of years will deter you from ever doing anything  
11 that stupid again in the future. You have potential, it  
12 looks to me, to do well. Somebody who can raise a child  
13 at your age and finish their -- or their education and  
14 have some college tells me you have enough drive to do  
15 well, if you want to, and so you don't have to live this  
16 kind of life. You can do well. You just have to turn  
17 your life in a different direction.

18           I do find that a sentence at the bottom of the  
19 advisory guideline range will be sufficient but not more  
20 than necessary to achieve the goals of sentencing here.  
21 And so it is the judgment of this Court, Ms. Jurisic,  
22 that you are hereby committed to the custody of the  
23 Bureau of Prisons to be imprisoned for a term of  
24 33 months. I order that term of imprisonment to be  
25 served consecutive to any term of imprisonment that may

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1 be imposed in the case set out in paragraph 39 of the  
2 presentence report. It is recommended that you be  
3 designated to a Bureau of Prisons facility in close  
4 proximity to your family commensurate with your security  
5 and custody classification needs.

6 Upon release from imprisonment, you will be placed  
7 on supervised release for a term of 3 years. While on  
8 supervised release, you must comply with the following  
9 mandatory conditions: You must not commit another  
10 federal, state, or local crime; you must not unlawfully  
11 use or possess a controlled substance; and you must  
12 cooperate in the collection of a DNA sample as directed  
13 by your probation officer.

14 In addition, you must comply with the standard  
15 conditions of supervision set out in my judgment order,  
16 together with all the special conditions at paragraphs 71  
17 through 74 of the presentence report.

18 It is ordered that you must pay to the United States  
19 a special assessment of \$100, which is due immediately.  
20 I find you do not have the ability to pay a fine, and so  
21 no fine will be imposed. It is ordered that you make  
22 restitution in the amount of \$62,456.33, of which  
23 \$46,929.38 is ordered payable to the Bank of America;  
24 \$10,724.88 is made payable to US Bank; \$2,232.34 is made  
25 payable to Fidelity Bank; \$2,292.73 is made payable to

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1 Chase; and \$277 is made payable to TCF Bank, all of which  
2 is due immediately and payable immediately. The payments  
3 will be made in accordance with the payment plan that  
4 I'll explain in a minute. Payments must be made to the  
5 United States Clerk of Court for the Northern District of  
6 Iowa for distribution to the victims in this case. It is  
7 ordered that restitution in this case be distributed on a  
8 pro rata basis. If any of your court-ordered financial  
9 obligations are still owed while you are incarcerated,  
10 you must make monthly payments in accordance with the  
11 Bureau of Prisons Financial Responsibility Program. The  
12 amount of the monthly payments will not exceed 50 percent  
13 of the funds available to you through institution or  
14 noninstitution resources and will be at least \$25 per  
15 quarter. If you still owe any portion of the financial  
16 obligations at the time of release from imprisonment, you  
17 must pay it as a condition of supervision, and the United  
18 States Probation Office will pursue collection of the  
19 amount due pursuant to a payment schedule approved by me.  
20 You must notify the United States Attorney for the  
21 Northern District of Iowa within 30 days of any change of  
22 your mailing or residence address that occurs while any  
23 portion of the financial obligation remains unpaid. I  
24 find you do not have any ability to pay interest and will  
25 waive the interest requirement in this case.

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1       I am going to grant you the privilege of  
2 self-surrender, Ms. Jurisic. It is a privilege. I could  
3 order your immediate incarceration, so this is a  
4 privilege that is extended to a few offenders from time  
5 to time. It is a real benefit. I want to talk to you  
6 about the benefits, but I also want to talk to you about  
7 the risks associated with it.

8       One of the primary benefits of self-surrender, other  
9 than you have more time to be free and get your affairs  
10 in order, is that if I allow an inmate to -- or an  
11 offender to self-surrender and she does so as ordered,  
12 when ordered to do so, the Bureau of Prisons sees that as  
13 an indication that you pose a low security risk and will  
14 automatically decrease your security classification  
15 rating, which means that they will send you to a facility  
16 that will be of lower security. It will be a nicer  
17 facility for you to do your time than if you have a  
18 higher classification setting.

19       Here's the risk, and that is, if you violate the  
20 terms of your pretrial release that I have previously  
21 imposed, you could be arrested and then you would lose  
22 that privilege of self-surrender, or if you failed to  
23 show up when you are ordered to show up at that time and  
24 date, then you will lose that lower security  
25 classification rating. Not only that, your security

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1 classification rating will be increased, which means it's  
2 going to be more likely you will do harder time for your  
3 33 months.

4 Also, if you fail to show up when I order you to  
5 show up, that can be a separate federal offense for which  
6 you could be prosecuted and a new sentence of time in  
7 prison or a fine could be imposed. And I will tell you  
8 that this U.S. Attorney's Office has prosecuted several  
9 people who have failed to surrender to the facility when  
10 ordered to do so, and so it is likely that if you fail to  
11 show up, this office will likely prosecute you for that  
12 offense.

13 You have two option. One is to surrender directly  
14 to the Bureau of Prisons facility that the -- that they  
15 designate for you to show up at. If you do so, you have  
16 to get to that location at the date and time I order --  
17 or they order you to, at your own expense. The other  
18 alternative is I can order you to show up here in about  
19 two weeks, surrender to the United States Marshal, and  
20 then the marshals will be responsible for transporting  
21 you to the location designated by the Bureau of Prisons  
22 instead of you having to get there at your own expense.

23 I have requested that you be designated to a  
24 location in close proximity to your family, but where you  
25 get designated is completely up to the Bureau of Prisons.

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1 I have no influence on that, and they could designate you  
2 anywhere in the country, and so that's something to think  
3 about as well.

4 Mr. Nathan, I am confident you've spoken with your  
5 client about this. Why don't you take a few minutes just  
6 to confirm what her wishes are.

7 (Whereupon, counsel conferred with the defendant.)

8 MR. NATHAN: Your Honor, Ms. Jurisic asks to  
9 surrender at the institution that she's assigned to by  
10 the US Marshals with the Bureau of Prisons.

11 THE COURT: Very good. All right. So,  
12 Ms. Jurisic, you must surrender to the -- to -- for  
13 service of this sentence at the institution designated by  
14 the Bureau of Prisons as notified by the United States  
15 Marshal. You must keep the United States Marshal  
16 informed of your current address and telephone number  
17 until you have reported to the Bureau of Prisons to serve  
18 your sentence. I am ordering you that immediately  
19 following this hearing, that you report into the United  
20 States Marshal's Service in this building on the seventh  
21 floor and provide them with your address, phone number,  
22 and any other contact information they request so that  
23 they can do that. Your failure to report to the  
24 institution as directed may subject you to additional  
25 criminal charges. You will remain on release under the

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1 supervision of the United States Probation Office under  
2 the same terms and conditions previously imposed until  
3 you have reported to the Bureau of Prisons to serve your  
4 sentence.

5 Mr. Morfitt, there remains outstanding Count 2.

6 MR. MORFITT: Yes, Your Honor. The government  
7 moves to dismiss Count 2.

8 THE COURT: The Court grants that motion, so  
9 Count 2 of the indictment will be dismissed against the  
10 defendant.

11 Before I advise Ms. Jurisic of her right to appeal,  
12 Mr. Morfitt, is there anything else on behalf of the  
13 United States?

14 MR. MORFITT: No, Your Honor.

15 THE COURT: Officer Freese?

16 PROBATION OFFICER: One question, Your Honor.  
17 Did you order her to participate in drug treatment in the  
18 BOP?

19 THE COURT: I did not, so I am going to  
20 recommend that you participate in the residential drug  
21 abuse treatment program or a similar program within the  
22 Bureau of Prisons.

23 What else, Officer Freese?

24 PROBATION OFFICER: Nothing further. Thank  
25 you.

1                   THE COURT: Thank you.

2                   Mr. Nathan?

3                   MR. NATHAN: Nothing, Your Honor. Thank you.

4                   THE COURT: All right. Thank you.

5                   All right. Ms. Jurisic, let me talk to you about  
6 your right to appeal. If you disagree with the sentence  
7 I've just imposed, you have the right to appeal that  
8 sentence to a higher court. That court is called the  
9 Eighth Circuit Court of Appeals. To appeal to that  
10 court, you would have to file a written notice of appeal  
11 with the Clerk of Court for the Northern District of Iowa  
12 here in Cedar Rapids within the next 14 days. If you  
13 fail to file a written notice of appeal in the next  
14 14 days, you give up forever your right to appeal the  
15 sentence I've just imposed. If you would like to appeal  
16 but you cannot afford the services of an attorney to do  
17 so, I would appoint an attorney to represent you on  
18 appeal at no expense to you. Do you understand your  
19 right to appeal?

20                  THE DEFENDANT: Yes, Your Honor.

21                  THE COURT: Do you have any questions about  
22 anything we've done here today?

23                  THE DEFENDANT: No, Your Honor.

24                  THE COURT: All right. Mr. Nathan, anything  
25 further?

1                   MR. NATHAN: No, Your Honor. Thank you.

2                   THE COURT: Mr. Morfitt?

3                   MR. MORFITT: No, Your Honor.

4                   THE COURT: All right. Thank you. That  
5 concludes this hearing.

6 (Proceedings concluded at 12:04 p.m.)

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## 1 C E R T I F I C A T E

2 I, Patrice A. Murray, a Certified Shorthand  
3 Reporter of the State of Iowa, do hereby certify that at  
4 the time and place heretofore indicated, a hearing was  
held before the Honorable C.J. Williams; that I reported  
5 in shorthand and transcribed to the best of my ability  
the proceedings of said hearing; and that the foregoing  
transcript is a true record of all proceedings had on the  
taking of said hearing at the above time and place.

6 I further certify that I am not related to or  
7 employed by any of the parties to this action, and  
further, that I am not a relative or employee of any  
8 attorney or counsel employed by the parties hereto or  
financially interested in the action.

9 IN WITNESS WHEREOF, I have set my hand this 19th day  
10 of January, 2022.

11 /s/ Patrice A. Murray  
12 Patrice A. Murray, CSR, RMR, FCRR  
13 Court Reporter  
14 PO Box 10541  
Cedar Rapids, Iowa 52410

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